

**An in-depth investigation into their articles on *Īmān*,
Kufr, *Takfīr* and ‘RULING BY OTHER
THAN WHAT ALLĀH REVEALED’.**

**PART 1: Issues related to Khālīd Al-
‘Anbarī and his book “*Al-Hukmu Bī
Ghayrī Mā Anzal Allāh Wa Usūl At-
Takfīr*,” and the subsequent posting of
his series of articles entitled “The
‘Anbarī Papers” by
www.salafipublications.com**

Sunday, September 24, 2000

**Rule: “It was from the known rules
from the ‘*Ulamā*’ that they used to
say, ‘Bring evidence and then believe.
Do not believe and then bring the
evidence.” – From the cassette “*Fitnat
At-Takfir Lish-Shaykh Al-Albānī* ”
with commentary of *Shaykh* Ibn
‘Uthaymīn; Side A**

Sedond Edition:

Revised and edited by
Abū Huthayfah Yūsuf Al-Kanadī
& Abū Sulaymān Haythem Ash-Shāmī

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

All Praise is due to Allāh. We praise Him, and seek His help and ask for His forgiveness. We seek refuge in Allāh from the evil in our souls and from our sinful deeds. Whomever Allāh guides, none can mislead. And whomever Allāh misguides, none can guide. I bear witness that there is no one worthy of worship except Allāh. He is One, having no partner. And I bear witness that Muhammad is His servant and Messenger.

يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ حَقَّ تَقَاتِهِ وَلَا تَمُوتُنَّ إِلَّا وَأَنتُمْ مُسْلِمُونَ

O you who believe! Fear Allāh (by doing all that He has ordered and by abstaining from all that He has forbidden) as He should be feared. [Obey Him, be thankful to Him, and remember Him always], and die not except in a state of Islām (as Muslims) with complete submission to Allāh.¹

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً
وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالرَّحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا

O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife [Hawwa (Eve)], and from them both He created many men and women and fear Allāh through Whom you demand your mutual (rights), and (do not cut the relations of) the wombs (kinship). Surely, Allāh is ever an All-Watcher over you.²

يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَكُونُوا قَوَلًا سَدِيدًا يُصْلِحْ لَكُمْ أَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ وَمَنْ يُطِيعِ اللَّهَ
وَرَسُولَهُ فَقَدْ فَازَ فَوْزًا عَظِيمًا

O you who believe! Keep your duty to Allāh and fear Him, and speak (always) the truth. He will direct you to do righteous good deeds and will forgive you your sins. And whosoever obeys Allāh and His Messenger he has indeed achieved a great achievement (i.e. he will be saved from the Hell-fire and made to enter Paradise).³

To proceed:

Verily, the truest speech is the Book of Allāh. And the best guidance is the guidance of Muhammad صلى الله عليه وسلم. The worst of affairs are the newly invented matters. And every newly invented matter is a *Bid'ah* and every *Bid'ah* is a misguidance and every misguidance is in the Hell-Fire.

Introduction to the Second Edition:

¹ Āl 'Imrān, 102

² An-Nisā', 1

³ Al-Ahzāb, 70-71

In this second edition, we have revised the refutation to make it clearer and more precise, with fewer mistakes, as everything will have mistakes in it except the Book of Allāh. The following is a list of what was done in this revision:

1. Correction of all spelling mistakes that were found.
2. Correction of all grammatical mistakes that were found.
3. Retranslation of *Hadīths* and narrations of the *Sahābah* and the *Tābi'īn* that were either incorrectly translated or translated inaccurately.
4. Revision of translated *Āyāt* which were incorrect or inaccurate, due to the translation of the *Āyāt* being taken from "The Interpretation of the Meanings of The Noble Qur'ān", by Dr. Muhammad Muhsin Khān and Dr. Muhammad Taqī-ud-Dīn Al-Hilālī.
5. Revision of translation of quotations of scholars that were inaccurately translated.
6. Addition of *Hadīths* to strengthen points.
7. Addition of quotations of scholars to strengthen points.
8. Revision of transliteration to make names and titles clearer to the English reader.
9. Correction of certain definitions used that were ambiguous or incorrect.
10. Additional points were added to refutations as to strengthen the material.
11. *Hadīths* that were quoted and referenced to certain books, references were added for those *Hadīths* that are narrated in more than those books originally mentioned. (i.e. If a *Hadīth* is mentioned that was attributed to Al-Bukhārī and Muslim, if it is also narrated by An-Nasā'ī and At-Tirmithī, these were added, etc.)
12. Revision of the *Asānīd* (i.e. chains of transmission) in which names were mistakenly translated, etc.

Original Introduction:

This document is being written after many attempts to correct and advise the author of many of the articles at www.salafipublications.com. And although my correspondence has been limited to one individual at that site, most of what I am using here will address all of its authors and those who delight in reading their material.

History:

In early July, 2000 I came across an article on the front page of this site called "The 'Anbarī Papers: Part 4," in which the author ⁴ wrote: "And we also ask these people [the

⁴ The author was Khālīd Al-'Anbarī who wrote the book '*Al-Hukmu Bi Ghayri Mā Anzal Allāh Wa Usūl At-Takfīr*,' (i.e. The Ruling by Other Than What Allāh Revealed and the Principles of Declaring Someone a Disbeliever) This book was recently banned in Saudi Arabia based upon the *Fatwā* (i.e. legal verdict) of the *Al-Lajnah Ad-Dā'imah Lil Buhūthi Wal Iftā'* (i.e. The Permanent Committee for Research and Legal Verdicts) which read as follows:

***Al-Bayān* (i.e. The Declaration) from *Al-Lajnah Ad-Dā'imah Lil Buhūthi Wal Iftā'* concerning the book entitled "*Al-Hukmu Bi Ghayri Mā Anzal Allāhu Wa Usūl At-Takfīr*", by its author Khālīd Al-'Anbarī:**

reckless newcomers], are the vast majority of *Ahl us-Sunnah* also *Murji'ah* ⁵ in their view – since all of them in their entirety – do not perform *Takfīr* (i.e. declare them disbelievers) of the one who abandons the prayer – in fact even the one who abandons the four pillars – out of laziness and neglect. And this is the correct and established position in the *Math'hab* (i.e. school of thought) of *Imām* Ahmad, as has been reported from numerous authorities.”

Fatwā #21,154 1420 H, 10th Month, 24th Day.

All praise is due to Allāh and may the mercy and blessings of Allāh be upon our Prophet Muhammad and his family and his companions.

And to proceed:

The Permanent Committee for Research and Legal Verdicts has reviewed the book entitled “*Al-Hukmu Bi Ghayri Mā Anzal Allāhu Wa Usūl At-Takfīr*” by its author Khālīd Al-‘Anbarī and after studying the book, it has become clear that it is full of broken trusts concerning knowledge in what he narrated from the ‘*Ulamā*’ of *Ahl As-Sunnah Wa Al-Jamā’ah* in twisting the evidence away from that which they indicate in the Arabic language and the aims of the *Sharī’ah* and from that is what follows:

1. Changing the meanings of the evidences in the *Sharī’ah* and playing with some of the texts, which have been narrated from the people of knowledge by excluding or changing things in a way that they would be understood other than their original meaning.
2. Explaining some of the statements of the people of knowledge with that which does not comply with their intentions.
3. Lying upon the people of knowledge. From that, him attributing to the ‘*Allāmah Shaykh* Muhammad Ibrāhīm Āl Ash-Shaykh, that which he did not say.
4. His claim that there is *Ijmā’* from *Ahl us-Sunnah* that the one who does not rule by what Allāh revealed in *At-Tashrī’ Al-‘Ām* (i.e. general legislation) except with the making it *Halāl* with the heart; that this is not *Kufr*, just like the rest of the disobediences, which are less than *Kufr*, and this is a lie upon *Ahl us-Sunnah*; its basis being either *Jahl* or evil intention. We ask Allāh to keep us free from this.

And based upon what has preceded, the Committee sees that it is *Harām* to publish the aforementioned book or to distribute and sell it. And we remind the author to make *Tawbah* to Allāh, *Ta’āla* and to return to the people of knowledge, whose knowledge is trusted, so he will learn from them what they will make clear to him, his error. We ask Allāh for all of us for guidance and steadfastness upon *Islām* and the *Sunnah*. May Allāh send prayers (of blessings) upon our Messenger Muhammad and his family and his companions.

The Permanent Committee for Research and Legal Verdicts:

Member: ‘Abdullāh Ibn ‘Abdur-Rahmān Al-Ghudyān

Member: Bakr Ibn Abdillāh Abū Zayd

Member: Sālih Ibn Fawzān Al-Fawzān

President: ‘Abdul-‘Azīz Ibn ‘Abdillāh Ibn Muhammad Āl Ash-Shaykh

⁵ We will explain this word and the groups to which the title belongs shortly, *Inshā’ Allāh*.

I found it astonishing that Al-‘Anbarī would say this due to the overwhelming quotations that I had come across which stated exactly the opposite and which confirmed that *Imām* Ahmad was, in fact, the most extreme of the ‘*Ulamā* from his era who said that whoever abandoned the *Salāt* was a *Kāfir*, outside the realm of *Islām*.⁶ I began my first email to the one who had translated and posted this article asking him about this statement of Al-‘Anbarī and he responded and this was how our correspondence began.

Since much of what we discussed involved *Takfīr* and the general topics related to *Imān* and *Kufr*, some introductory points should be explained regarding the group which, in our time, has been somewhat revived and their concepts resurrected. They are the *Murji’ah*.

What is Irjā’, Who Are the Murji’ah, and What Are Their Characteristics?

⁶ In the eventual 42 page response which I wrote to this brother, I wrote the following:

According to *Shaykh Al-Islām*, Ibn Taymiyyah, may Allāh be merciful to him, there are actually six opinions attributed to *Imām* Ahmad, only one of which says that abandoning *Salāt* isn’t *Kufr*. He said, “And from Ahmad about that (i.e. the abandonment of the four pillars, *Salāt*, *Zakāt*, *Siyām*, *Hajj*) there are differences (of opinion). One of the narrations is that he disbelieves by leaving any one of them. And this is the opinion of Abī Bakr and a group of the companions of Mālik, such as Ibn Habīb. And the second narration is that he does not disbelieve unless he abandons the *Salāt* or the *Zakāt* only. The third narration is that he does not disbelieve except if he abandons the *Salāt* and the *Zakāt* and he fights for that (i.e. he rebels with force from paying the *Zakāt*). The fourth narration is that he does not disbelieve except by abandoning the *Salāt*. And the fifth narration is that he does not disbelieve by abandoning any of them.” (*‘Al-Fatāwa’*, Vol. 7/302)

And he said, “And also, there is a narration from him that the person disbelieves by leaving the *Siyām* and the *Hajj* if he says that he will never make *Hajj*.” (*‘Al-Fatāwa’*, Vol. 7/259) So the one who claims that the most established view of *Imām* Ahmad personally, or even that of his *Math’hab*, that abandoning the *Salāt* out of laziness isn’t *Kufr*, then it is upon that person to bring some evidence to substantiate his claim. In fact this is very doubtful based upon the following:

Al-Lālakā’ī said, “*Imām* Ahmad said, ‘Whoever abandons the *Salāt* has disbelieved and there is nothing other than that which, if it is abandoned, is *Kufr* besides the *Salāt*. And whoever abandons it is a *Kāfir* and Allāh has made killing him *Halāl*.’” (*‘Sharh Usūl I’tiqād Ahl As-Sunnah Wa Al-Jamā’ah’* Vol. 1/179) And Al-Ājurri said, “Ibn Mukhallid said that Abū Dāwūd narrated that he heard *Imām* Ahmad say, ‘If someone says, ‘I am not going to pray, then he is a *Kāfir*.’” (*‘Ash-Sharī’ah’*, Pg. 136)

And “Ibn Hazm said, ‘It has come from ‘Umar, ‘Abdur-Rahman Ibn ‘Awf, Mu’āth Ibn Jabal, Abū Hurayrah and other companions that anyone who skips one obligatory *Salāh* until its time has finished becomes a *Murtadd* (apostate). We find no difference of opinion among them on this point.’” (This was mentioned by Al-Munthirī in *‘At-Targhīb Wa At-Tarhīb*.) Then he comments, “A group of *Sahābah* and those who came after them believed that an intentional decision to skip one *Salāh* until its time is completely finished makes one a *Kāfir*. The people of this opinion include ‘Umar Ibn Al-Khattāb, ‘Abdullāh Ibn Mas’ūd, ‘Abdullāh Ibn ‘Abbās, Mu’āth Ibn Jabal, Jābir Ibn ‘Abdillāh and Abū Ad-Dardā’. Among the non-companions who shared this view were Ibn Hanbal, Is’hāq Ibn Rāhuyah, ‘Abdullāh Ibn Al-Mubārak, An-Nakh’ī, Al-Hākim Ibn ‘Utaybah, Abū Ayyūb As-Sakhtiyānī, Abū Dāwūd At-Tayālīsī, Abū Bakr Ibn Abī Shaybah, Zuhayr Ibn Harb, and others.” (*‘Sahīh At-Targhīb Wa At-Tarhīb’*, Pg. 235)

Irjā' is a *Fikr* (i.e. concept) that *Īmān* is a constant entity which is either present or not present in the heart. This concept is slightly different depending on which *Math'hab* of *Irjā'* a particular group of *Bid'ah* subscribe to. They say that *Īmān* either exists or is non-existent and it can only exist in the heart, and it is witnessed upon the tongue only; it neither increases nor decreases and actions are not part of it. A group called the *Karāmiyyah* was known to consider the one who merely says the *Shahādah* upon the tongue have the *Īmān* of Abū Bakr and 'Umar without adding any actions to this *Shahādah*. And some of them say that *Īmān* is simply *Tasdīq* (certain belief) in the heart or *Ilm* (knowledge).

Abū Na'im narrated from Sufyān Ath-Thawrī that he said, "The *Murji'ah* differed from us in three matters: We say that *Īmān* is sayings and actions and they say that *Īmān* is sayings without actions. We say that it increases and decreases and they say that it does not increase and that it does not decrease. We say that we are *Mu'minūn* (only with) approval (i.e. by saying *Inshā-Allāh*) and they say that we are (guaranteed) *Mu'minūn* in the eyes of Allāh."⁷

Linguistic Definition: "*Murji'ah*" linguistically comes from "*Al-Irjā'*", which means to delay, put off, postpone or to exclude.⁸

For example, Allāh said:

They said: "Put him off (*Arjih*) and his brother (for a while), and send callers to the cities."⁹

"And also from "*Ar-Rajā'*", which means hope, which is the opposite of despair."¹⁰

For example, Allāh said:

...all these hope (*Yarjūna*) for Allāh's Mercy.¹¹

Shar'ī Definition: "*Murji'ah*" according to *Sharī'ah* covers two groups: *Imām* Ibn 'Uyaynah said, "*Murji'ah*" is:

1. A group who left the matter of 'Alī and 'Uthmān (i.e. those who did not take any opinion in the matter) and those people are no longer present.

⁷ "*Hilyat Al-'Awliyā'*", Vol. 7/29

⁸ "*Al-Qāmūs Al-Muhīt*", Pg. 1660

⁹ *Sūrat Ash-Shu'arā'*, 36

¹⁰ "*Al-Qāmūs Al-Muhīt*", Pg. 1660

¹¹ *Sūrat Al-Baqarah*, 218

2. As far as the *Murji'ah* today, they are those who say, '*Īmān* is sayings without actions.'" ¹²

The *Murji'ah* are two groups and the second group is divided into four categories:

1. The original *Murji'ah*: And these were the people in the time of 'Alī and 'Uthmān leading into the *Fitnah* between 'Alī and Mu'āwiyah. They left the issue and did not support one against the other and refused to hold any opinion about the matter. And because the term *Irjā'* literally means to "put off", they were labelled with this term because they "put off" the issue and did not take a side and refused to hold any opinions about the issue.

Abū Ja'far At-Tabarī said, "From the correct opinion about the source for the name *Murji'ah* was that *Irjā'* is to put off something. So the one who puts off the matter of 'Alī and 'Uthmān to their Lord and leaves their *Wilāyah* and the *Barā'ah* from them, delaying their matter, then he is *Murji'ī*. And the one who puts off the actions and obediences from *Īmān*, then he is *Murji'ah* while this is the most common use of the word when discussing the different groups. The term *Murji'ah* is most commonly used to refer to the people who say that *Īmān* is sayings without actions. And about the ones whose *Math'hab* is that, the outward worships are not from *Īmān* and that the *Īmān* is only *Tasdīq* with statements (i.e. the *Shahādātayn*) without actions to verify it." ¹³

The first person to have this original form of *Irjā'* with respect to the issue of 'Alī and 'Uthmān, was Al-Hasan Ibn Muhammad Ibn Al-Hanafiyyah. Ibn Sa'd said about him, "And he was the first to speak with *Irjā'*." ¹⁴ And Ibn Hajar said (in the same book, same page), "From Ayyūb, 'I am free from *Irjā'*'. The first one to speak with it was a man from the people of *Madīnah* called Al-Hasan Ibn Muhammad."

However, Al-Hasan Ibn Muhammad Ibn Hanafiyyah, may Allāh be merciful to him, was free from the later form of *Irjā'* – the type which separates actions from *Īmān*.

So this type of *Irjā'* did not play any role in the *Takfīr* because the matter was not based upon a *Fikr* of *Īmān* and *Kufr*.

2. *Murji'at Al-Fuqahā'*: And these were the likes of Abū Hanīfah An-Nu'mān and they say that actions are not part of *Īmān*. They were called "*Fuqahā'*" because they were *Ulamā'* with this *Fikr* and not common people and this is not to be misunderstood that their mistakes were only a matter of *Fiqh*. Indeed, these misunderstandings are directly from '*Aqīdah* in the most important area after *Tawhīd*; *Īmān* and *Kufr*.

¹² "*Taḥthīb Al-Āṭhār At-Tabarī*", Vol. 2/659

¹³ "*Taḥthīb Al-Āṭhār At-Tabarī*", Vol. 2/661

¹⁴ "*Taḥthīb At-Taḥthīb*", Vol. 2/320

So they separated actions from *Īmān* and said that actions are not *Īmān* but rather they are evidence for the *Īmān* in the heart. And this is the only real distinction between them and the *Ghulāt Al-Murji'ah* (fifth category). And this group is still common today among the ignorant Muslims who have not spent any real effort in learning what *Īmān* and *Kufr* are, so we will discuss their concepts in somewhat of a detailed explanation and refutation, *Inshā-Allāh*. And because they have some similarities to the fifth category, some the following is a refutation of both the category second and the fifth:

Some of them said that *Īmān* is a statement upon the tongue and *Tasdīq* (assent) in the heart but they separated actions from *Īmān*, while some of them said that the statement upon the tongue isn't *Īmān*, but it is a condition for the rulings of *Islām* to apply to the person in the *Dunyā*. So this group of them made the *Shahādah* a condition for *Al-Islām Al-Hukmī* (*Islām* In Rulings) and not *Al-Islām Al-Haqīqī* (*Islām* In Reality). But this was also a mistake because, according to *Ahl As-Sunnah Wa Al-Jamā'ah*, *Īmān* is statements on the tongue and actions of the body (i.e. from the tongue; like the *Shahādatayn* and statements of *Thikr* etc. and from the limbs like the *Salāt* and *Siyām* etc.) and actions of the heart (i.e. *Tasdīq*, *Yaqīn* etc.). So the statements upon the tongue and the actions upon the limbs are not merely evidence for the *Īmān* in the heart, but they actually are the *Īmān*.

And the evidence for this is

From Abū Hurayrah who said: The Messenger of Allāh ﷺ said: ((*Īmān* is seventy something or sixty something *Shu'bah* (branches). Its best is the saying '*Lā Ilāha Illā Allāh*' and its lowest is removing the harm off of the path, and humility is a *Shu'bah* of *Īmān*)).¹⁵

So the saying *Lā Ilāha Illā Allāh* and the action of moving harm off of the path were both labelled as *Īmān*.

And His, *Ta'āla*'s saying:

And Allāh would never make (*Īmānakum*) your faith (prayers) to be lost (i.e. your prayers offered towards Jerusalem).¹⁶

And it has come in the reason of revelation of this *Āyah* from Al-Barā' Ibn 'Āzib that the Prophet ﷺ, when he first came to *Al-Madīnah*, he went first to his grandfathers, or his uncles on his mother's side from the *Ansār*. And that he prayed towards *Bayt Al-Maqdis* for sixteen months or seventeen months and he used to hope that his *Qiblah* would be towards the House (*Ka'bah*). And the first prayer that he prayed was *Salāt Al-'Asr*, and some people prayed with him. Then a man from those who prayed with him went out and he passed by some people of a Masjid and they were in *Rukū'*, so he said: "I put Allāh as a witness that I prayed with the Messenger of Allāh ﷺ

¹⁵ Narrated by Muslim

¹⁶ *Sūrat Al-Baqarah*, 143

towards *Makkah*.” So they turned as they were towards the house. And the Jews used to be pleased as he and the people of the book used to pray towards *Bayt Al-Maqdis*, but when he turned his face (towards Makkah) they rejected that.” Az-Zuhayr said: Abū Is’hāq narrated to us from Al-Barā’ in this *Hadīth* of his that men died and were killed while on this *Qiblah* before it was changed so we did not know what to say about them, so Allāh *Ta’āla* Revealed:

وَمَا كَانَ اللَّهُ لِيُضَيِّعَ إِيمَانَكُمْ
(And Allāh would never make your faith to be lost.)¹⁷

So the *Salāt* was labelled as *Īmān* and the *Hadīth* of Ibn ‘Abbās, may Allāh be pleased with him, that the delegation from ‘Abdul-Qays that the Prophet صلى الله عليه وسلم ordered them with four things and forbid them from four things, He said: **((I order you with four and I forbid you from four. I order you with *Īmān* in Allāh. And do you know what *Īmān* in Allāh is? The bearing witness to *Lā Ilāha Illā Allāh* and the establishment of the prayer and giving the *Zakāt* and to give the fifth from the spoils of war.))**¹⁸

And ‘Umar Ibn ‘Abdul-Azīz wrote to the Muslims in the new Muslim settlements, “Verily, the *Īmān* is obligations and laws and punishments and things from the *Sunnah*. So whoever completes them, completes *Īmān* and whoever does not complete them, does not complete *Īmān*. So if I live, I will make them clear to you until you act upon them and if I die, then do not be eager for being your companion.”¹⁹

In fact Ibn Abī Al-‘Izz Al-Hanafī, himself had some mistakes in this same area. And this was evident in his discussion of the differences between *Ahl As-Sunnah* and Abū Hanīfah. “The difference between Abī Hanīfah and the rest of the *Imāms* of *Ahl As-Sunnah* is only superficial. Because the actions on the limbs is mandatory for the belief in the heart. A person who is guilty of a *Kabīrah* (Major Sin) is not excluded from the fold of *Īmān*, but is subject to the will of Allāh. If He wills He will punish him and if He wants, He will forgive him. This is only a verbal dispute, which does not cause wrong belief.”²⁰

But this is a mistake because from the *Kabā’ir*, are those actions which do nullify *Īmān* and from them are some which only decrease it. And it would have been better to say, “A person who commits the *Kabā’ir* (Major Sins), which are less than *Al-Kufr Al-Akbar*, is

¹⁷ Narrated by Al-Bukhārī, and also by At-Tirmithī, Abū Dāwūd, Ibn Mājah, Ahmad, and Ad-Dārimī. Some with the full narration and some with only the reason as to why it was revealed. Also, some from Al-Barā’ Ibn ‘Āzib and some from ‘Abdullāh Ibn ‘Abbās, may Allāh be pleased with him. Al-Bukhārī placed this *Hadīth* in the chapter called “The *Salāt* Is From *Īmān*.”

¹⁸ Narrated by Al-Bukhārī, Muslim and An-Nasā’ī with slightly different wordings, and this is Al-Bukhārī’s phrasing.

¹⁹ “*Sahīh Al-Bukhārī*”

²⁰ “*Sharh Al-Aqīdah At-Tahāwīyyah*”, Pg. 374

not excluded from the fold of *Īmān*..." And this is like the *Hadīth* narrated by Abū Hurayrah from the Prophet ﷺ, "Avoid seven *Kabā'ir*.' They (the people) asked, 'O Messenger of Allāh, what are they?' He said, 'To make *Shirk* with Allāh, to practice *Sihr* (sorcery), to kill the life which Allāh has forbidden except for a just cause (according to Islāmic law), to consume *Ribā*, to consume the property of an orphan; to turn one's back to the enemy and fleeing from the battlefield at the time of fighting and to accuse chaste, believing, unaware (of *Harām*) women.'" ²¹ And it is widely known that *Shirk* and *Sihr* are both actions upon the limbs, which nullify *Īmān*.

This misconception of the *Murji'at Al-Fuqahā'* necessarily manifested itself in the area of *Takfīr*. Remember how they said that actions are not *Īmān*, rather they are evidence for the *Īmān* in the heart. So if they saw an individual performing an act of *Kufr*, without an excuse, then they would say that this was evidence for the existence of *Kufr* in the heart. And recall how they said that *Īmān* is only *Tasdīq* in the heart, which is witnessed upon the tongue. So to them, *Kufr* could only be the opposite of *Tasdīq*, which is *Takthīb*. And based upon that, it meant that an act of *Kufr* on the limbs could only be evidence for the *Takthīb* in the heart. So they would make *Takfīr* due to actions, but their mistakes were four:

1. They thought that the *Kufr* on the outside would indicate that the *Īmān* on the inside was non-existent. And this was wrong because, if there is *Īmān* in the heart, the *Kufr* on the outside actually makes the *Īmān* on the inside void.
2. They thought that the *Kufr* on the outside necessarily meant that the *Kufr* on the inside was from *Takthīb*.
3. They limited *Kufr* to the inside, while we know that it can be on the outside in the form of sayings and actions.
4. They limited the *Kufr* of the heart to *Takthīb*, while we know that there are other types of *Kufr* that can take place in the heart such as *Shakk* (Doubt), *Bughdh* (Hate), *Shirk Mahabbah* (Association in Love), etc.

But this is also a mistake, because the heart can contain many forms of *Kufr* other than *Takthīb* and *Istihlāl* (and *Istihlāl* is really a type of *Takthīb* so it is the same thing). For instance, the heart might contain *Kibr* and *Istikbār* (pride and arrogance) and yet this *Kibr* might actually be what leads to his *Juhūd* upon the limbs. And this works the other way as well. A person might have *Juhūd* in his heart but the actions of *Kufr*, which result from this, might not necessarily fall into the category of *Juhūd*.

Consider a person who purposely throws the *Mus'haf* into the toilet. This is obviously an act of *Kufr*. But the person who did this may not reject the *Qur'ān* itself. He might know that it is truly the Book of Allāh and he might even have *Tasdīq* of this fact, in his heart. However, he also had *Kibr* in his heart and this *Kibr* wouldn't allow him to submit to the words of his Lord in that *Mus'haf* and so he threw it into the toilet. This act is still *Kufr* and *Ahl us-Sunnah* would still make *Takfīr* to that individual after verifying that the

²¹ Narrated by Al-Bukhārī, Muslim, An-Nasā'ī and Abū Dāwūd with slight differences in the wording and this is the phrasing of Al-Bukhārī.

necessary conditions are present for the *Takfīr* of this individual and that he does not possess any of the preventions of the *Takfīr*.

So if the *Murji'at Al-Fuqahā'* saw any actions of *Kufr*, they would say that this was evidence for *Takthīb* in the heart. And this was a mistake because there are some actions, which do not fall into the category of *Takthīb* or *Istihlāl* yet they do nullify all the *Īmān* in the heart. A person might be joking and say words of *Kufr* upon the tongue but he hasn't rejected *Islām* upon his tongue and he hasn't made the *Harām* to be *Halāl*. Rather, he has committed the *Kufr* of *Istihzā'* (mocking).

And the evidence is His, *Ta'āla*'s saying:

If you ask them (about this), they declare: "We were only talking idly and joking." Say: "Was it at Allāh, and His *Ayāt* and His Messenger that you were mocking?" Make no excuse; you have disbelieved after you had believed. ²²

And He said:

They swear by Allāh that they said nothing (bad), but really they said the word of disbelief, and they disbelieved after accepting Islām... ²³

And this *Kufr* upon their tongues nullified the *Īmān* in their hearts without them rejecting it in their hearts. They did not reject it by their tongues nor did they reject it in their hearts. Because if they had rejection in their hearts, then this would mean that they were *Munāfiqīn* and this would have meant that the mocking was only evidence for their *Nifāq*. But this is not the case. These people were Muslims who had *Īmān* and the *Īmān* was nullified due to mocking upon their tongues. Because if they never had any *Īmān* in their hearts, Allāh would not have said, "...you have disbelieved after you had believed," and "...and they disbelieved after accepting Islām..."

And this is like what Ibn Taymiyyah said: "He صلى الله عليه وسلم was ordered to say to them that they disbelieved after their *Īmān*. And the saying of those who declare about these verses, 'They disbelieved after their *Īmān* with their tongues while the *Kufr* already existed in their hearts,' is not correct because the *Īmān* upon the tongue while *Kufr* is present in the heart is *Kufr* (already). So (these people) claim that it is not to be said, "You have disbelieved after your *Īmān*", because (according to these people), they never stopped being *Kuffār* in the first place. And even if they mean, "You've demonstrated *Kufr* after you demonstrated *Īmān*," (this is also incorrect) because they did not demonstrate anything to anyone except to their own people (i.e. they said their statements to each other). And they were always (demonstrating) the same thing among their people. But (this is not correct either because) when they committed *Nifāq*, they were worried that a *Sūrah* might be sent down revealing what was in their hearts from *Nifāq* and their

²² *Sūrat At-Tawbah*, 65-66

²³ *Sūrat At-Tawbah*, 74

uttering mocking statements. So the wording (of the verses) does not indicate that they were always *Munāfiqīn*.”²⁴

3. *Murji'at Al-Jahmiyyah*:

This group who said that *Īmān* was only *Ilm* (knowledge) in the heart. So they separated actions, statements and *Tasdīq* from *Īmān*. So even a person who refused to declare the *Shahādah*, committed all kinds of acts of *Kufr*, and did not claim to have *Tasdīq* in his heart, could not be made *Takfīr* to as long as the person claimed to have knowledge of Allāh.

And many from both of these groups said that the *Shahādah* was a condition for a person to be considered a *Mu'min* in this life but that in the Hereafter he would be a *Mu'min* as long as he had *Tasdīq* or *Ilm* of Allāh in his heart.

Among the innovations of Jahm Ibn Safwān was the *Irijā'* which was much more extreme than the *Murji'at Al-Fuqahā'*. Because he not only said that actions are excluded from *Īmān*, he also added that *Īmān* only was *Ilm* (knowledge). His concept was the most extreme *Math'hab* of *Irijā'* because he considered knowledge to be equal to *Īmān*. And this *Bid'ah* is actually *Kufr* and not just a mistake based upon a misunderstanding. This is because everyone who has knowledge of Allāh would be a *Mu'min* with full *Īmān* and this would include the Jews about whom, Allāh said:

Say: "What thing is the most great in witness?" Say: "Allāh (the Most Great!) is Witness between me and you; this Qur'ān has been revealed to me that I may therewith warn you and whomsoever it may reach. Can you verily bear witness that besides Allāh there are other *alihā* (gods)?" Say "I bear no (such) witness!" Say: "But in truth He (Allāh) is the only one *Ilāh* (God). And truly I am innocent of what you join in worship with Him." Those to whom We have given the Scripture (Jews and Christians) recognize him as they recognize their own sons. Those who destroy themselves will not believe.²⁵

And likewise only a person who was ignorant of Allāh could be made *Takfīr* to. And his concept of *Irijā'* has been refuted by the *Ulamā'* of *Ahl us-Sunnah* frequently.

Ibn Abī Al-'Izz Al-Hanafī said, “Actually, even Iblīs would be a total *Mu'min* according to Jahm's opinion. He did not claim ignorance of Allāh. He had this knowledge of Him and said: “O my Lord! Give me then respite till the Day they (the dead) will be resurrected.” And: “O my Lord! Because you misled me...” And: “By Your Might, then I will surely mislead them all.” According to Jahm, *Kufr* is ignorance of Allāh; however, no one is more ignorant of Allāh than him because he reduces Allāh to a Being

²⁴ “*Al-Fatāwa*”, Vol. 7/272

²⁵ *Sūrat Al-An'ām*, 19-20

as such and strips Him of all His attributes. There can be no greater ignorance than this. He is therefore, a *Kāfir* according to his own testimony!"²⁶

Ibn Taymiyyah said, "And here, there are fundamentals, which the people have disagreed upon. From these: "Can the heart either disbelieve or believe with no traces (of this *Īmān* or *Kufr*) being shown upon the tongue or the limbs but only be shown when (the person) does not fear (to demonstrate his *Kufr* or *Īmān*)?" The thing that the *Salaf* and the *Imāms* and the majority of the people are upon is that there must be something shown upon the body (i.e. either words/actions of *Kufr* or words/actions of *Īmān*.) So whoever says that he believes in the Messenger and loves him and glorifies him in his heart but does not speak (the words) of *Islām* and does not perform anything from it's *Wājibāt* (obligations) without fear – then this person is not a *Mu'min* on the inside – rather, he is nothing but a *Kāfir*. And Jahm and those who agreed with him, believed that he would be a *Mu'min* on the inside because, (to them) – if the heart knows (something) and believes it (to be true) – this is *Īmān*. And (to them) it deserves rewards on the Day of Judgment without any sayings or actions (of *Īmān*) upon their outward appearance. And this (idea) is absolute falsehood according to the *Sharī'ah* and the intellect and from the *Salaf* like Wakī' and (*Imām*) Ahmad and others who used to make *Takfīr* to the ones who say this. And the Prophet صلى الله عليه وسلم has said, 'There is a piece of flesh in the body if it is good (reformed) the whole body will be good but if it is bad the whole body will be bad and that is the heart.' (Bukhārī) So he made clear that the righteousness of the heart makes it compulsory for the righteousness of the body. So if the body is not righteous, this indicates that the heart is not righteous. And the heart of a *Mu'min* is righteous so this makes it known that whoever speaks the words of *Īmān* but does not act upon them, then his heart is not a believing one. And that is because the body is a follower of the heart. So nothing can occur in the heart except that its result is shown upon the body, even if that is from any method of the methods (that it may be shown)."²⁷

4. *Al-Karāmiyyah*: And they were named after their founder Ibn Karām (died 255 H.) They say that *Īmān* is upon the tongue only and they separated both the actions of the body and the sayings and actions of the heart from the definition of *Īmān*.

Of course, this is ridiculous and there is too much evidence from the texts of the *Sharī'ah* to bother refuting it here as no one nowadays really says this anymore.

About them, *Shaykh Al-Islām* said, "...and the second saying (after mentioning the types of *Irjā'* in his time) is the saying that it (i.e. *Īmān*) is only a statement upon the tongue. And this is not known from anyone besides the *Karāmiyyah*." ("*Al-Fatāwa*", Vol. 7/195)

And this manifested itself by saying that *Takfīr* could only be made to the people who did not declare the *Shahādah*, even if that person said it without *Tasdīq* in his heart and did not follow that statement with even a single action upon the limbs.

²⁶ "*Sharh Al- 'Aqīdah At-Tahāwiyyah*", Vol. 2/462

²⁷ "*Al-Fatāwa*", Vol. 14/120-121

5. *Ghulāt Al-Murji'ah*: These are the majority of the *Murji'ah* and they are the ones who said that *Īmān* is *Tasdīq* (assent) only, and that whatever takes place upon the tongue and upon the body does not even indicate what is in the heart, nor does it have any tie to the heart. And along with the *Fikr* or the *Murji'at Al-Fuqahā'*, they have the most influence upon the '*Aqā'id*' (beliefs) of the Muslims today. In fact, they only differ from the *Murji'at Al-Fuqahā'* in that they did not even see outward sayings and actions of *Īmān* to be evidence for *Īmān* in the heart. And because of this, they did not see sayings and actions of *Kufr* to be evidence for *Kufr* in the heart. So with respect to *Takfīr*, they are different than the *Fuqahā'* because they wouldn't even consider the acts of *Kufr* to mean anything unless they were accompanied with statements in which the person clearly states that there is *Kufr* in his heart. And this meant that the person could not leave *Islām* unless he said clearly that he does not have *Tasdīq* in his heart.

And the most extreme of the *Ghulāt Al-Murji'ah* even said that as long as a person was upon *Tawhīd* in his heart, they wouldn't even enter the Fire for any act of disobedience because they considered actions to not even have any consequence in the Hereafter. So not only did these extreme *Ghulāt Al-Murji'ah* separate actions from *Īmān*, they also separated actions from punishments in the Hereafter also.

Ibn Taymiyyah said, "And it has been said about some of the *Ghulāt Al-Murji'ah* that no one from the people of *Tawhīd* would enter the Fire. But I do not know of any specific person who said this for me to report it from him. And there are some people who narrate this from Muqātil Ibn Sulaymān but the apparent thing is that this was a mistake about him." ²⁸

Resuming the Introduction

The emails continued back and forth and several issues were raised including who is to be labelled with the description of the *Murji'ah* and what exactly was *Irjā'*, ²⁹ the ruling on the one who abandons the *Salāt*, the ruling on the one who 'Rules by Other Than What Allāh Revealed' and some other issues related to *Īmān*, *Kufr* and *Takfīr*.

The tone of these emails were pleasant and the truth of the matter is that the individual whom I was writing to, for the most part, was well mannered and maintained the proper *Islāmic* etiquette while differing. I put together a forty-two-page response to the points he had raised, to which he replied saying that he intended to offer his own refutation against my work. This refutation might be still being prepared; however, as of yet it has not surfaced.

²⁸ "*Minhāj As-Sunnah*", Vol. 5/286

Shaykh Al-Albānī's Concepts of Īmān and Kufr, may Allāh be merciful to him

At one point during our correspondence, before my response, the brother said, "...before the likes of *Imām* Al-Albānī were slandered with the accusation of *Irjā'* by the political activists..." So I decided to quote some statements of *Shaykh* Al-Albānī, may Allāh be merciful to him, which demonstrated some of his *Irjā'* concepts. And I emphasise here that I did not initiate this topic, rather I only addressed this issue in response to his statement, which seemed to cast blame and an accusation of slander against anyone who believed *Shaykh* Al-Albānī to have any *Irjā'* in his teachings. Furthermore, I said in the beginning of this section in my response very respectful words regarding *Shaykh* Al-Albānī.³⁰ And then I proceeded to quote the following from his cassette; '*Al-Kufrū Kufrān*'³¹ (i.e. The *Kufr* is Two *Kufrs*). And I would like to remind the reader here that I am not including this portion of what I originally wrote for the purpose of harming *Shaykh* Al-Albānī's status or attacking his honour. And let it be known that I have benefited greatly from the *Shaykh's* teachings in many other areas. I am including this section to reference it and to add to it later, as I intend to revisit this topic in an upcoming section to demonstrate some further issues with www.salafipublications.com.

The excerpt I quoted was the following:

Questioner: "Concerning the *Ijmā'* that Ibn Kathīr mentioned in "*Al-Bidāyah Wan-Nihāyah*," that whoever rules with "*Al-Yāsiq*" (i.e. the book put together by the Tartars who added their own *Hukm* to the *Sharī'ah* as well as some of the laws of the People of the Book) that he is a *Kāfir* by *Ijmā'* of the *Muslimīn*, and also O our *Shaykh*, just like Muhammad Ibn 'Abdul Wahhāb says, "The *Tawāghūt* (plural of *Tāghūt*) are five..." and

³⁰ I said the following:

He was the *Amīr Al-Mu'minīn* in *Hadīth* as was Ibn Hajar Al-'Asqalānī in his era. He spent his years calling to *Islām* and the revival of the *Manhaj* of the *Salaf*. He excelled in the *Fiqh* and *Takhrīj* of the *Sunnah* and due to his effort, by the permission of Allāh, we have a complete collection of authentic *Sunnah* from the well-known collections, which were not authenticated before his time. And like all *Ulamā'* he was correct in some of his rulings and incorrect in others. His *Fiqh* contains much benefit for the students of knowledge and there are mistakes as well, which have been refuted and corrected by his contemporaries. As for the accusation of *Irjā'*; some of what has been said are merely attacks without basis and some of what has been said is true. And this is similar to the criticisms of Ibn Hajar (and his influence by the *Ashā'irah*), *Imām* An-Nawawī (in his influence by the *Ashā'irah* and use of the reporting of *Ijmā'*), Ibn Hazm (in his *Fiqh* of the *Thāhiriyyah*), and Ibn Khuzaymah and Ibn Hibbān (in their weakness in *Hadīth* criticism). So these *Ulamā'* from the past have been criticized and their mistakes have been exposed in order to aid the people who study knowledge. We all still gain enormous benefit from studying their words and books; however, they are not used as references in every matter in which they made mistakes. For example, the reporting of *Ijmā'* from *Imām* An-Nawawī is disregarded. The authentication by Ibn Hibbān and Ibn Khuzaymah is not always relied upon. And the words of Ibn Hajar regarding the Names and Attributes of Allāh and the *Usūl Al-Fiqh* of Ibn Hazm are not studied. So we say that the *Shaykh*, may Allāh be merciful to him, is in this same category. And what a noble position it is to be among the *Ulamā'* such as those just mentioned, may Allāh be merciful to them all.

³¹ Recorded by "*Tasjīlāt Bayt Al-Maqdis*" in Amman, Jordan in 1996

from them, "...The unjust ruler that changes the laws of Allāh..." and he mentioned the one who rules by other than what Allāh revealed. And like we know that disbelief in the *Tāghūt* is the second pillar of *Tawhīd*, because Allāh 'Azza Wa Jall said, **"Whoever disbelieves in the *Tāghūt* and believes in Allāh, then he has grasped the firm handhold..."** (*Sūrat Al-Baqarah*, 256) ...so the disbelief in the *Tāghūt* is the second pillar from the pillars of *Īmān*. So if we say that the *Ijmā'* has been narrated about the *Kufr* of the one who changes the laws of Allāh, 'Azza Wa Jall, then I must establish this '*Aqīdah*' and establish the *Islāmic* state – as we have heard from you – inside my heart. So I must not believe this in my heart, especially when the *Ulamā'* of the *Muslimīn* ... more than one '*Ālim* ... have narrated the *Ijmā'* of the *Kufr* of the ruler who changes (the *Hukm*) and from them was Mahmūd Shākir and 'Umar Al-Ashqar and about six *Ulamā'* have narrated the *Ijmā'* on this point."

Answer from the Shaykh: "You...may Allāh bless you...have you paid attention previously and just now during this sitting, that the *Kufr* is an action of the heart and not an action of the body? Did you pay attention to this or not?!"

Questioner: "We do not agree with this."

Answer from the Shaykh: "This is where the problems arise. What is the *Kufr*? What does 'disbelieved' mean linguistically and in the terminology of the *Sharī'ah*?"

Questioner: "The *Kufr* in the language means the rejection but in the terminology of the *Sharī'ah*, the *Ulamā'* have broken it down into *Kufr I'tiqādī* and *Kufr 'Amalī* or *Kufr Akbar* and *Kufr Asghar*. And the *Kufr Al-Akbar*, they said, is what takes you outside the *Millah*. So the *Kufr Al-Asghar*..."³²

³² At this point I added my own comments:

This is a mistake. This would mean that a person could never be made *Takfīr* to based upon an action of the limbs. But it is not likely what the questioner intended. Either he meant to say, "...the '*Ulamā'* have broken it down into *Kufr I'tiqādī* and *Kufr 'Amalī* and from these two categories; *Kufr I'tiqādī* is *Kufr Al-Akbar* and *Kufr 'Amalī* can be either *Kufr Al-Akbar* or *Kufr Al-Asghar*," or maybe he simply misspoke. And it is clear that he did not intend these comments as they appear because of what follows. Also, the linguistic meaning of "*Kufr*" is not rejection. The linguistic meaning is to cover something or to bury it or to conceal it. And based on the word's linguistic meaning, everyone who covers something does *Kufr* to it. And because of this, a farmer is called a *Kāfir* because he buries his seeds below the soil. Allāh said:

...as the likeness of vegetation after rain, thereof the growth is pleasing to the tiller (*Kuffār*); afterwards it dries up and you see it turning yellow; then it becomes straw. (*Sūrat Al-Hadīd*, 20)

Al-Azharī said, "His virtues are His signs which indicate His *Tawhīd* and the virtues that the *Kāfir* has concealed are His apparent signs which have come so that we may determine that the Creator is One with no partner and also His sending of the Messengers with signs which are miracles and the Books which descended and the clear evidences that are a virtue from Him. So whoever doesn't believe in them and rejects them; he has disbelieved in the virtue of Allāh. In other words, he has covered it and veiled it from himself." (Look to "*Lisān Al-'Arab*")

Answer from the Shaykh: "It doesn't matter...may Allāh bless you...we do not want lectures right now! We want understanding – *س ج* (Q & A). Just now you said that there is *Kufr 'Amalī* and *Kufr I'tiqādī*. Do you mean what you say? Fine. The *Kufr 'Amalī*...does the one who commits it disbelieve?"

Questioner: "Yes, if it takes you out of the *Millah*...if it is *Kufr Akbar* because the *Kufr 'Amalī* – from it is *Kufr Akbar* and *Kufr Asghar*." ³³

Answer from the Shaykh: "*Yā Akhī*...may Allāh bless you. I just said a word. We do not want to give lectures. Right now we want to understand a word and what it encompasses. We agree that there is *Kufr 'Amalī* and *Kufr I'tiqādī*. So I asked you, does the *Kufr 'Amalī* take the one who commits it outside the *Millah*? The answer: Either you say yes or you say no. Then there is no problem with explanations if the matter requires it." ³⁴

Questioner: "Here, an explanation is required."

Answer from the Shaykh: "Say: Is the *Kufr 'Amalī* equal to *Riddah* (apostasy) or not?!"

Questioner: "I will not answer except with an explanation." ³⁵

Answer from the Shaykh: "*Subhān Allāh!* Is *Kufr Al-I'tiqādī* equal to the *Kufr* of *Riddah*?!"

Questioner: "Yes."

Answer from the Shaykh: "Fine. Why did you not seek to explain that?"

Questioner: "Because this is agreed upon. But the *Kufr 'Amalī* is an issue of difference between the *Murji'ah* and *Ahl us-Sunnah*."

Answer from the Shaykh: "Fine. *Kufr Al-'Amalī*...does it have a tie with the *Kufr Al-I'tiqādī*, which you have said is *Riddah*, or does not?"

Questioner: "Yes." ³⁶

³³ Here I added the following comments:

This is the correct *Math'hab* and it is the '*Aqīdah* of *Ahl As-Sunnah Wa Al-Jamā'ah*.

³⁴ Here I said the following:

Do you see how the influence of *Irjā'* has entered these words, *Akhī*? Read further and it becomes more obvious.

³⁵ Here I said the following:

This was the right thing to say here. Because, either he has to say that all forms of *Kufr* of the limbs nullify all the *Īmān* in the heart or none of them do. And both of these statements would be incorrect.

Answer from the Shaykh: Then return to *Kufr I'tiqādī*...may Allāh bless you. The *Kufr 'Amalī*, as it appears to me...and do not be angry with me because I am trying to make this saying light...has not been made clear to you the difference between *Kufr I'tiqādī* and *Kufr 'Amalī*, so that it would be clear to you the fruits of the differences between *Kufr Al-I'tiqādī* and the *Kufr Al-'Amalī*? The *Kufr Al-'Amalī* is an action that is committed by a Muslim, which is from the actions of the *Kuffār*. But this action, which is committed by the Muslim is like those actions, which are committed by the *Kuffār* from one point of view...the point of view that it is an action. But it is different from another point of view because that action is committed by the *Kāfir* while believing *Kufr I'tiqādī*. But this Muslim...and here the fruits will be clarified between the difference of the two *Kufurs*...this Muslim – if he commits *Kufr Al-'Amalī* and adds to that *Kufr I'tiqādī*, like the *Kufr of the Kāfir*...then it is *Kufr Riddah* with no difference in that.³⁷ But if nothing has been committed from him to indicate that the *Kufr Al-'Amalī* has been accompanied with *Kufr I'tiqādī*, then here, it is not *Kufr I'tiqādī* because the *Kufr I'tiqādī* differs with *Kufr 'Amalī* because it is *Kufr of the heart*. But the *Kufr 'Amalī* is not *Kufr of the heart*, it is only *Kufr in actions*.³⁸ Take, for example, the *Sahīh Hadīth*, which is agreed upon and

³⁶ Here I said the following:

Now I ask you, *Akhī*, to focus upon the next statements of the *Shaykh* and recall our discussion on the *Usūl* of *Kufr* and *Īmān* of the *Murji'ah* and how these *Usūl* affected the rules of *Takfīr* for them.

³⁷ Here I said:

This is wrong and this is *Iṛjā'* and not the *Aqīdah* of *Ahl As-Sunnah Wa Al-Jamā'ah*. What this basically implies, is that a person who prostrates to an idol – even when it has been confirmed that this person knew he was prostrating to an idol and that he knew this form of worship is only to be directed towards Allāh, has not disbelieved by this action because this was only *Kufr 'Amalī*. And by extension, *Takfīr* could not be made to him until we could confirm that this act of *Kufr 'Amalī* had been joined with *Kufr I'tiqādī* in the heart. And no one from *Ahl As-Sunnah* has ever said such a thing.

³⁸ Here I said:

And the *Kufr* in actions indicates that the *Īmān*, which was in the heart, has been nullified. But it does not provide a direct indication of what form of *Kufr* exists in the heart (i.e. *Istihlāl*, *Kibr*, *Karh* etc.). This is because the Prophet صلى الله عليه وسلم has said, 'There is a piece of flesh in the body if it is good (reformed) the whole body will be good but if it is bad the whole body will be bad and that is the heart.' (Bukhārī) So it isn't possible for a heart to have valid *Īmān* while the body knowingly commits actions of *Kufr Al-Akbar*.

And also what proves the link of the *Kufr Al-Akbar* upon the limbs indicating that the valid *Īmān* in the heart is nullified, is his صلى الله عليه وسلم's saying, 'Verily, if a slave makes a mistake, (and according to another narration) ...if he commits a sin, a black dot is placed on his heart. So if he struggles and makes *Istighfār* and makes *Tawbah*, his heart is cleared. But if he returns (to that sin), it is increased until his heart is enveloped (with blackness) and it is the covering that Allāh mentioned: **Nay! But on their hearts is the Rân (covering of sins and evil deeds) which they used to earn.**' (*'Sahīh Sunan At-Tirmithī'*, #2654) So if the sins cover the heart until it is completely covered, then what about the unforced *Kufr Al-Akbar* of the person who was not ignorant of the impermissibility of his act? And the rules for actions of *Kufr* are the same as those of statements of *Kufr* because a person only has two sides; an inside and an outside. And as far as acts and statements of *Kufr Al-Akbar*, both of them are issued from the outside and they both indicate the *Kufr* of the inside.

that is, his صلى الله عليه وسلم's saying, 'Swearing at a Muslim is *Fusūq* and fighting him is *Kufr*.' A Muslim fighting against his fellow Muslim is *Kufr*. Now I ask you, a Muslim fighting a Muslim; has he disbelieved by this fighting?"

Questioner: "He does not disbelieve because this is *Kufr Al-Asghar*."

Answer from the Shaykh: *Yā Akhī*, may Allāh bless you. The best of words are those, which are short and precise! Fine. This is *Kufr*. So you call it *Kufr Al-Asghar* and I call it *Kufr 'Amālī*.³⁹ So what is the difference between you and me? Now we see this is *Kufr*

And *Shaykh Al-Islām*, Ibn Taymiyyah, may Allāh be merciful to him said, "The root of *Īmān* and *Nifāq* begins in the heart and what is demonstrated from statements and actions is a branch from it and an evidence for it. So if something from that is demonstrated from a man then that judgment is placed upon him. So when the Most Glorified informed (us) that the ones who accused the Prophet صلى الله عليه وسلم (of not distributing the *Zakāt* equally) and those who harmed him were from the *Munāfiqīn*, this was established that this was an evidence for their *Nifāq* and a branch from it. And it is known that when a branch of something and its evidence appears, then its origin is the (same) thing that was demonstrated (i.e. If we see *Kufr* in the branches, then *Kufr* is in the roots). So it affirms that whenever this is found, then the one in whom it was found, is a *Munāfiq*. (This), whether or not he was a *Munāfiq* before this statement or if the *Nifāq* began with that statement." (*As-Sāram Al-Maslūl 'Alā Shātim Ar-Rasūl*", Pg.34)

And finally, the one who performs these acts of *Kufr Al-Akbar* without being forced and without the excuse of ignorance is certainly a *Kāfir* on the inside as well and the proof is in His, *Ta'āla*'s Saying:

Whoever disbelieved in Allāh after his belief, except him who is forced thereto and whose heart is at rest with (Īmān) Faith but such as open their breasts to disbelief, on them is wrath from Allāh, and theirs will be a great torment. (*Sūrat An-Nahl*, 106)

And about this *Āyah*, Ibn Taymiyyah said, "He made everyone who speaks words of *Kufr* to be under the threat of punishment of the *Kuffār* except those who are compelled while their hearts are at rest with *Īmān*. So if it is said, 'But the Most High said: ...but such as open their breasts to disbelief...' It is said to them (in answer), 'And this is said in compliance to its (i.e. the *Āyah*'s) beginning because anyone who disbelieves without being compelled, has opened his breast to *Kufr*. And if it weren't like that, then the nullification of its beginning would have come at its end. And if the meaning of '**whoever disbelieved**', was the one who opened his breast to *Kufr* – that would be without compulsion – then He would not have only made an exception to the one who was compelled, rather it would have been obligatory to make an exception for the one who is compelled and the one who is not compelled – if he says the words of *Kufr*, willingly then he has opened his breast to it and that is *Kufr*." (*Al-Fatāwa*", Vol. 7/220)

And Shaykh Muhammad Ibn 'Abdul-Wahhāb said, in his explanation of this *Āyah*, "So Allāh did not excuse anyone from them except the one who is compelled while his heart is at rest with *Īmān*. But anyone besides these who commit *Kufr* after their *Īmān*, whether he did it out of fear or willingly in order to please someone, or due to an extreme pressure from within him or for his family or his people or his wealth or he did it out of joking or other than that, from the things, which aren't (covered in the definition) from compulsion. And the *Āyah* indicates this in two ways: Firstly, His statement: **...except him who is forced thereto...** So Allāh did not make an exception except for he who is compelled. And the second was His, the Most High's statement: **That is because they loved and preferred the life of this world over that of the Hereafter.** So He made clear that this *Kufr* and this punishment was not because of belief or ignorance or hate for the *Dīn* or love of *Kufr*, rather its cause was only a factor from the factors of the (love of this) life. So it had an affect upon his *Dīn*." (*Majmū'at At-Tawhīd*", Pg. 88-89)

³⁹ Here I said:

'*Amalī*. Why? Because it is an action from the actions of the *Kuffār* and because the *Kuffār*, by their nature, as it has been proven, will always and forever fight amongst themselves and the Prophet صلى الله عليه وسلم pointed this out and this re-enforces our position against you (i.e. the questioner) and your *Ta'wīl* (interpretation) that this *Kufr* is *Kufr Al-Asghar*. Also, what helps us provide the *Tafsīr* that it (the issue of Muslims fighting one another) is *Kufr Al-'Amalī*, is his صلى الله عليه وسلم saying, in the Final *Hajj*, as it has come in '*Sahīh Al-Bukhārī*', in the *Hadīth* of Jarīr Ibn 'Abdillāh Al-Bajalī, 'The Messenger of Allāh صلى الله عليه وسلم said to him, 'Assemble the people for me.' So he صلى الله عليه وسلم addressed the people and said, 'Do not return to *Kuffār* after me striking each other's necks.' The word 'striking each other's necks'...there is no doubt that this is an action and it is the *Tafsīr* of his صلى الله عليه وسلم saying earlier – 'Do not turn into *Kuffār* after me striking each other's necks.' – how? By 'striking each other's necks'. So this is *Kufr 'Amalī*. 'Swearing at a Muslim is *Fusūq* and fighting him is *Kufr*.' So it does not take him outside the *Millah* but if the fighting of a Muslim against his Muslim brother is accompanied by him making his blood *Halāl* in his heart, while being certain that he is a Muslim...at this point, the *Kufr 'Amalī* becomes *Kufr I'tiqādī*.⁴⁰ "You use as evidence

So the *Shaykh* has confirmed here that he considers all actions of *Kufr* to all be *Kufr Al-Asghar* except when they are accompanied with *Kufr Al-I'tiqādī*. And he has confirmed that he only considers the *Kufr* in the heart to be what takes one outside the *Millah* of *Islām*. But we have proven that anyone who performs acts of *Kufr* willingly, while not being excused due to ignorance, has *Kufr Al-I'tiqādī* by necessity. But the truth is that the *Kufr* upon the limbs is what nullifies the *Īmān* in the heart and not the other way around. Remember *Shaykh Al-Islām's* *Tafsīr* of the following *Āyah*:

They swear by Allāh that they said nothing (bad), but really they said the word of disbelief, and they disbelieved after accepting Islām... (Sūrat At-Tawbah, 74)

"He صلى الله عليه وسلم was ordered to say to them that they disbelieved after their *Īmān*. And the saying of those who declare about these verses, 'They disbelieved after their *Īmān* with their tongues while the *Kufr* already existed in their hearts,' is not correct because the *Īmān* upon the tongue while *Kufr* is present in the heart is *Kufr* (already). So (these people) claim that it is not to be said, "You have disbelieved after your *Īmān*", because (according to these people), they never stopped being *Kuffār* in the first place. And even if they mean, "You've demonstrated *Kufr* after you demonstrated *Īmān*," (this is also incorrect) because they did not demonstrate anything to anyone except to their own people (i.e. they said their statements to each other). And they were always (demonstrating) the same thing among their people. But (this is not correct either because) when they committed *Nifāq*, they were worried that a *Sūrah* might be sent down revealing what was in their hearts from *Nifāq* and their uttering mocking statements. So the wording (of the verses) does not indicate that they were always *Munāfiqīn*." ("*Al-Fatāwa*", Vol. 7/272) And he said elsewhere, "Whoever swears at Allāh and His Messenger out of mocking while not being forced and whoever says words of *Kufr* out of mocking while not being forced and whoever makes fun of Allāh and His Signs and His Messenger, then he is a *Kāfir* on his inside and his outside. And those who say, 'The one like this (description) may be a believer in Allāh on the inside while is only a *Kāfir* in his outside,' – then surely he has uttered a saying of evil mischief in the *Dīn*!" ("*Al-Fatāwa*", Vol. 7/557) So this means that *Shaykh Nāsir*, may Allāh be merciful to him, had the wrong understanding of *Īmān* and *Kufr* and it was based on *Irjā'* because it is a separation between actions and *Īmān* and this lead to an incorrect concept of *Takfīr* and what it requires.

⁴⁰ I said:

These kinds of statements are those that I first mentioned in my first emails, which is the heart of *Irjā'*. Let's summarize the *Shaykh's* points here. He has said that this *Kufr* of fighting a Muslim is only *Kufr* when it is accompanied with him making his blood *Halāl*. This is true but not for the reasons the *Shaykh* is

the *Ijmā'*, which has been narrated by people from the past and people from this era. You must have read the *Tafsīr* of the *Imāms* for the likes of His, *Tabāraka Wa Ta'āla*'s saying: **And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*.** I mean that the *Āyah* was revealed for the Jews who would force each other to ask the Messenger because they were two groups. So they would send one of them to ask Muhammad and if he answered favourably to them, they accepted it, otherwise, they rejected it. And from the famous well-known leaders of the *Mufasssīrīn*, Ibn Jarīr At-Tabarī said in his *Tafsīr* of this *Āyah*, ...**such are the *Kāfirūn*** 'because they do not believe in the *Hukm* of the Messenger of Allāh صلى الله عليه وسلم in their hearts because they originally disbelieved in the Messenger of Allāh صلى الله عليه وسلم unless he judges in their favour. At this time, they accept the *Hukm* because it is in their favour, but if it is not in their favour, they reject it with their hearts and by changing it. And because of that, he...I mean Ibn Jarīr and Ibn Kathīr...approved that it is not allowed to apply this *Āyah* upon a Muslim *Fājir/Fāsiq* who believes in what Allāh '*Azza Wa Jall* revealed but rules either according to himself or according to other than himself or other than him with other than the *Hukm* of Allāh '*Azza Wa Jall* in His Book or His Prophet صلى الله عليه وسلم in his *Sunnah* ⁴¹ ... it is not allowed to apply this *Āyah* upon the *Muslimīn* because they are

using. According to *Ahl us-Sunnah*, it is only *Kufr* if he makes his blood *Halāl* because this act is only at the level of *Kufr Al-Asghar*. But the *Shaykh* has stated that the reason why this act of *Kufr* does not nullify his *Īmān* is the fact that it occurred on the limbs. But the truth is that this act of *Kufr* does not nullify his *Īmān* because it isn't *Kufr Al-Akbar*. In other words it is only a sin. And we know that sins decrease the *Īmān* but they do not nullify it completely. So the *Shaykh* has put the condition of making this *Halāl*, which is what the *Murji'ah* make as conditions as well. In this case he is correct but he applies this condition to all acts of *Kufr*, even if they are in reality, *Kufr Al-Akbar*. And this is his error. And this is an example of his *Irjā'*. And the *Shaykh* has confirmed that only *Kufr Al-I'tiqādī* can be *Akbar*. But this means that the *Shaykh*, may Allāh be merciful to him, did not consider any actions to be able to nullify *Īmān* on their own without being accompanied with belief which initiated it. Isn't this the *Irjā'* that we pointed out in the beginning? Isn't this a level of separating actions from *Īmān*? What this means is that all actions of *Kufr*, no matter what level they are, are only sins. Isn't that what the *Murji'ah* say?

⁴¹ Here I said:

This is not true. Ibn Jarīr At-Tabarī said:

"He *Ta'āla* says, whoever conceals the *Hukm* of Allāh, which He revealed in His Book and made it a law between the slaves – so he hides it and rules with other than it like the *Hukm* of the Jews concerning the married fornicators with whipping of the guilty and blackening their faces and concealing the *Hukm* of stoning and like their judging upon some of their murdered with full blood-money and some with half of their blood-money. And concerning the noble people, they would have *Qisās* but the commoner would only get the blood money. But Allāh made all of them equal in the *Tawrāt*: ...**such are the *Kāfirūn*.** They are the ones who concealed the truth, which was upon them to uncover and make clear. And they hid it from the people and they showed something different to the people and they judged according to that (changed *Hukm*) because of a bribe they took from them." (*Tafsīr At-Tabarī* Vol. 4/592)

So there is no mention of their hearts or their original disbelief in the Prophet صلى الله عليه وسلم and there is a confirmation from *Imām* At-Tabarī that this *Āyah* came down for them changing the *Hukm* of what Allāh revealed in the *Tawrāt* with that of the *Hukm* which they used for their noble people and they judged according to that based upon a bribe of the people. And this bribe is like what Ibn Mas'ūd said in the following *Athar*:

Imām At-Tabarī said: "I was informed by Ya'qūb Ibn Ibrāhīm who said, 'I was informed by Hushaym who said, 'I was informed by 'Abdul-Malik Ibn Abī Sulaymān from Salamah Ibn Quhayl from 'Alqamah and Masrūq that they asked Ibn Mas'ūd about bribery and he said, 'It is from the unlawful trade.' So he (Quhayl) said, 'And in the *Hukm*?' He (Ibn Mas'ūd) said, 'That is the *Kufr*!' And then he recited: **And whosoever does not judge by what Allāh has revealed, such are the Kāfirūn.**" (same section as the above from *Tafsīr At-Tabarī*) And 'Abdullāh Ibn 'Abdir Rahmān As-Sa'd said in his cassettes entitled "*Sharh Nawāqith Al-Islām*", 'This *Sanad* is *Sahīh*.' And *Shaykh* Sulaymān Ibn Nāsir Ibn 'Abdillāh Al-'Ulwān agreed with him.

So the act of taking bribes is only from the unlawful trade but the act of taking bribes with respect to the *Hukm* is *Kufr*. And this is the difference between the slaves who conduct themselves by other than what Allāh revealed in their own personal lives and those rulers who rule by other than what was revealed in the lives of the people. The first is a sin and the second is *Kufr*, even though they are both actions. However, the level of the sin in these actions is not equal because the first only decreases the *Īmān* and the second one nullifies it from its origin. And this confirms that the *Āyah* is indicating *Kufr* from the action itself and not from the heart.

And then Ibn Jarīr quotes all of the narrations from the *Sahābah* and *Tābi'īn* and *Atbā' At-Tābi'īn* regarding the reason of the revelation of this *Āyah*. And finally he said, "And the first of these sayings is the one I believe to be correct; the saying that these *Āyāt* came down for the *Kuffār* of *Ahl-Kitāb* because of the *Āyāt* which preceded them and which follows them are revealed for them. And they were the ones specified therein. So if a person says, 'Verily, Allāh *Ta'āla* generalized this issue to include anyone who does not rule according to what Allāh revealed. So how can you make it specific?' It should be said (in reply), 'Allāh *Ta'āla* made this general for a people who were – concerning the *Hukm* of Allāh, which he revealed in his Book – rejecting it.' So He informed us about them that they – due to their leaving Allāh's *Hukm* in the way that they did – were *Kuffār*. And like that is the saying concerning anyone who does not rule by what Allāh revealed, rejecting it. He is a disbeliever in Allāh." (Vol. 4/597)

The point here is that these people actually disbelieved by their replacement of this law and this *was Juhūd* (rejection) but it was upon the outside. So Ibn Jarīr's word 'rejecting it' here does not mean in the inside, rather it means on the outside. And this is clear from his words, "So He informed us about them that they – due to their leaving Allāh's *Hukm* in the way that they did – were *Kuffār*." And this type of rejection upon the outside is like His, *Ta'āla*'s saying:

And they rejected (*wa jahadū bihā*) them (those *Āyāt*) wrongfully and arrogantly, though their ownselves were convinced thereof [i.e. those (*Āyāt*) are from Allāh, and Mūsa (Moses) is the Messenger of Allāh in truth, but they disliked to obey Mūsa (Moses), and hated to believe in his Message of Monotheism]. So see what was the end of the Mufsidūn (disbelievers, disobedient to Allāh, evil-doers, liars.).

So this *Juhūd* was upon the outside and this is like the *Juhūd* of the *Hākim* who replaces the *Hukm* that Allāh revealed in his Book just as the Jews did and just as Ibn Jarīr has confirmed. Of course this act of *Kufr* is governed by the aforementioned rule of *Takfīr*. And even though this act of *Kufr* – from the *Thāhir* – is *Juhūd*, the *Takfīr* cannot be made to him until all of the defences of *Takfīr* (such as the *Uthr* of *Jahl* due to *Ijtihād*, *Ta'wīl* etc.) have been eliminated and the conditions have been established (such as the *Hujjah* has been made to him etc.) But if these defences of *Takfīr* are eliminated and the conditions are established, this *Hākim* will be declared a *Kāfir/Murtadd* and all of this will come from his act of *Kufr* upon the outside.

And Ibn Kathīr said, "Ibn Jarīr said, with his *Sanad* from 'Alqamah and Masrūq that they asked Ibn Mas'ūd about bribery and he said, 'It is from the unlawful trade.' So he (Quhayl) said, 'And in the *Hukm*?' He (Ibn Mas'ūd) said, 'That is the *Kufr*!' And then he recited: **And whosoever does not judge by what Allāh has revealed, such are the Kāfirūn.**" (same *Hadīth* narrated above) And As-Suddī said, 'He (i.e. Allāh) says (paraphrasing), "Whoever does not rule by what I have revealed and he leaves it purposely and or becomes unjust with knowledge, then he is from the *Kāfirīn*.'" And from Ibn 'Abbās who said, 'Whoever rejects what Allāh has revealed, then he is a *Kāfir* and whoever accepts it, then he is a *Thālim/Fāsiq*.' – Narrated by Ibn

different than the *Mushrikīn* because they believe in what Allāh has revealed, however, their *Īmān* in what Allāh revealed was not accompanied by actions while these *Kuffār* rejected what Allāh revealed in their hearts. And because of this, the *Ulamā'* of the *Muslimīn*, in the *Tafsīr* of this *Āyah*, which is used by many of the people who hold onto the unrestricted *Takfīr* and from it is your saying that *Kufr* 'Amalī could be *Kufr* which takes you outside the *Millah* and you did not see that it is impossible for the *Kufr* 'Amalī

Jarīr. Then he (Ibn Jarīr) demonstrates that the meaning is *Ahl-Kitāb* and anyone else who rejects what Allāh revealed in his Book. And from Ibn Tāwūs from his father, who said, 'Ibn 'Abbās was asked about His saying: **And whosoever does not judge by what Allāh has revealed, such are the Kāfirūn.**' He (Ibn 'Abbās) said, 'In him there is *Kufr*.' And Ibn Tāwūs said, 'And it is not like the one who disbelieves in Allāh and His Angels and His Books and His Messengers.' And Ath-Thawrī said from Ibn Jurayj from 'Atā' that he said, '*Kufr Dūna Kufr, Thulm Dūna Thulm, and Fisq Dūna Fisq.*' And from Tāwūs who said, 'It is not the *Kufr* that takes you outside the *Millah*.' And from him (Tāwūs) from Ibn 'Abbās who said, 'It is not the *Kufr* you are taking it to, it is not the *Kufr* that removes one from the *Millah*, it is *Kufr Dūna Kufr*.' ("At-Tafsīr", Vol. 2/63-64)

So where is the mention of their hearts or their original disbelief in the Prophet صلى الله عليه وسلم ? And where are the words of Ibn Kathīr saying that you can't apply this *Āyah* to the Muslim ruler who rules by other than what Allāh revealed? But if we are to bring the words of Ibn Kathīr in this subject, we would bring the following:

"Allāh *Subhānahu*, rejects those who refused Allāh's *Sharī'ah*; the laws that are good for the Muslims; the laws that forbid what is evil. Allāh rejects those who follow laws of personal desires and who adopt laws of *Kufr* such as the laws enforced by the Tartars who were under the control of Genghis Khan, their king. These laws were a mixture of Judaism, Christianity and laws chosen by their king that suited his desires. Should we prefer these laws to the *Sharī'ah* of Allāh and His Prophet صلى الله عليه وسلم ? Whoever adopts laws other than Allāh's is a *Kāfir* and the Muslims must declare war on him until the laws of Allāh are adopted; the laws prescribed by Allāh and His Prophet صلى الله عليه وسلم." ("Tafsīr Al-Qur'ān Al-'Athīm", Vol.2/67)

And commenting on this *Āyah*:

(And) if you differ in anything amongst yourselves, refer it to Allāh and His Messenger (صلى الله عليه وسلم), if you believe in Allāh and in the Last Day. (Nisā', 59)

Ibn Kathīr said, "Mujāhid and others from among the *Salaf* (predecessors) said that the phrase '**...Allāh and His Messenger...**' in this *Āyah*, means the Book of Allāh and the *Sunnah* of His Messenger. This is an order from Allāh that all matters that the people disagree on, including the fundamentals of *Dīn*, must be referred back to the Book (*Qur'ān*) and the *Sunnah*. Allāh said, "**If you differ in anything amongst yourselves refer it to Allāh...**" So whoever is judged upon from the Book and the *Sunnah*; if he witnesses for this judgement, that it is right, then he is upon the truth, and what comes beyond the truth except *Dhalāl* (misguidance)? For this reason, Allāh said, '**...if you believe in Allāh and the Last Day.**' In other words 'consult the Book and the *Sunnah* when you disagree on issues and judge by them in the disputes between the people if you (claim to) believe in Allāh and the last day.' This indicates that whoever doesn't judge by the Book and the *Sunnah* and refer back to them in their times of disagreement, then he does not believe in Allāh and the Last Day." ("At-Tafsīr", Vol. 1/519)

And, "Whoever rules according to the '*Yāsiq*' (i.e. the book invented by the Tartars with which they governed) is a *Kāfir* by *Ijmā'*" ("Al-Bidāyah Wa An-Nihāyah", Vol. 13/119)

So *Inshā' Allāh*, both *Imām* Ibn Jarīr and Ibn Kathīr are cleared from *Irjā'* and their actual opinions are clear with no doubt.

to take you outside the *Millah* unless the *Kufr* has become an action of the heart of the *Kāfir*. It is *Wājib* to differentiate between the *Kufr* '*Amalī* and the *Kufr* '*I'tiqādī*. We do not find in the *Sharī'ah* any text, which clearly indicates that the one who believes in what Allāh revealed, is a *Kāfir*. The one for example, who takes *Ribā*...what is his *Hukm*? Is he a *Kāfir/Murtadd* from the *Dīn*? You are going to say, 'No.' Isn't this true?"

Questioner: "Yes."

(...end of excerpt...)

And I concluded my response with some brief words concerning the 'Ruling by Other Than What Allāh Revealed' with proof from the *Qur'ān* and the *Tafsīr* of the people of knowledge which proved that the ruler who replaces the laws of the *Sharī'ah* with his own fabricated laws, has performed the *Kufr Al-Akbar*, which removes one outside the realm of *Islām*. And I emphasized that this *Kufr* comes from his action and it is not necessary to investigate his heart to see if he makes his ruling *Halāl* or not or to determine if he rejects Allāh's *Sharī'ah* in his heart or not.

As I mentioned earlier, the one whom I sent this article to, said that he would reply with his own response, which would refute my "many grave errors", and until now, I still have not seen it.⁴² However, in the email correspondence, which came after my response, I came to notice that this individual seemed more interested in defending *Shaykh* Al-Albānī's reputation and attacking those who oppose him in the issues of *Īmān* and *Kufr*, than he was in proving the correctness of the *Shaykh*'s opinions about *Takfīr* etc. He also seemed more interested in attacking the authors whom I had quoted in my section on 'Ruling by Other Than What Allāh Revealed', than he was in disproving what they had said concerning the topic itself. I found this very interesting, although odd and I came to notice later, that this is quite a common strategy among these people and their readers.⁴³ Since then, www.salafipublications.com has posted several articles related to *Īmān* and *Kufr* and 'Ruling by Other Than What Allāh Revealed'.

⁴² I am not saying that this individual will not send it; only that he has not done so yet.

⁴³ It is very common that this site will throw personal attacks against the scholars whom they oppose in certain issues, yet very seldom do they use any *Āyāt* from the *Qur'ān* or *Sahīh* statements from the Prophet, peace be upon him, to refute the opinions and statements of these scholars. Rather, what they commonly do, is find some mistakes from those whom they oppose and then use these statements to discredit everything that these scholars have said. Or, they will quote some of the people of knowledge who have criticized them in some unrelated issue and then use these criticisms to attack them and to cause their readers to dislike that particular scholar and disregard all he has ever said, thus they can avoid having to disprove his statements because this would require knowledge. And this is very similar to how non-Muslim, secular politicians struggle against their opponents. When they are unable to defeat them within the context of the actual issues themselves, we see that they find some scandal, which will tarnish their opposition, thus lulling the masses into focusing upon the mistakes of an individual, rather than evaluate and weigh his opinions and statements. And how ironic it is that www.salafipublications.com will cast blame and revile those whom they call "biased partisans" while they are practising the very partisanship, which they claim to detest. And we say that this is a trap from the *Shaytān*, may Allāh destroy him, and it leads to the kind of statements we've come to expect from this group which are full of spite, hatred, revilement and blind following. And may Allāh protect us all from that.

And there have been three booklets ⁴⁴ :

1. **An Explanation of the Deception of the Qutubiyyah: The Creed of Imām Al-Albānī on Takfīr and Apostasy**
2. **Readings in Elementary Qutubism: A General Introduction to the Fundamental Precepts of the Qutubi Ideology**
3. **The Halabī Papers: Part 1: Replying to Abū Ruhaym**

So I do not claim that all these articles and booklets were a direct result of what I wrote, but I do believe that some of what has appeared on their site has in some ways been intended to address the issues which I raised in my project. And verily, Allāh, *Ta'āla* knows best. In the upcoming section, we will be addressing many of the points raised by the authors of www.salafipublications.com and those of the books and individuals they have quoted from, *Inshā-Allāh*. ⁴⁵

A Declaration of Sincerity

In undertaking a project of this type, there are inherent risks, which one should be aware of. There is a risk of personalities clashing within the issues and this leads to vengeful, spiteful rhetoric, which we want to avoid. We are not intending this project to be used to bash any of the individuals at www.salafipublications.com, rather we are attempting to advise and refute them for the sake of protecting the English speaking Muslims from falling into this trap of *Shaytān* and to clarify the truth concerning *Īmān*, *Kufr*, *Takfīr* and the topic of 'Ruling by Other Than What Allāh Revealed'. Also, in the course of this project I will attempt to point out many of the correct things which www.salafipublications.com has written on the subject of *Īmān* and *Kufr* etc. And in doing so, I hope to avoid the trap that these people seem to have fallen into where they only focus on the mistakes of individuals ⁴⁶, while never mentioning the truth of any of their statements. In some cases, we will attempt to bring evidence from the *Qur'ān* and the *Sunnah* for the truth of their words in order to substantiate them, thus freeing ourselves from this trap and to be just concerning their words.

⁴⁴ ...as of the date of this document.

⁴⁵ In some cases we will be refuting the authors whom they quote from and this should be viewed as a refutation of www.salafipublications.com as well as the individual whom they've quoted and supported. This is because these people do not quote certain individuals unless their statements are in support of what they are attempting to propagate and this is very clear when one examines their articles. And in many cases it is quite amusing when www.salafipublications.com demonstrates their lack of understanding, concerning the issues, and mistakenly quote words of the scholars who are actually disproving the point that these people are trying to substantiate. And we will point out some of these instances shortly, *Inshā' Allāh*.

⁴⁶ And here I should also add, "...or what they perceive as mistakes..." as there are many times they will quote some words of an individual whom they despise and then attempt to draw a conclusion from these words and apply a general meaning to them where the one whom they are quoting is referring to something specific. And again; how ironic it is that www.salafipublications.com casts such a huge amount of blame against those who do this while they are, in fact, doing the exact same thing. And with Allāh is the refuge.

Also, during this refutation, there is a risk of ruthless and insulting words being directed towards the authors of these articles and books. This can sometimes result from the natural emotional reaction, which the statements of these people will undoubtedly inspire.⁴⁷ In some instances, our tone *will* take on a degree of severity in order to highlight our points but we wish to free ourselves from cruelty and insensitivity and this tone should not be interpreted as intentional malice. Rather, the very nature of a project of this type is to refute the statements and expose the mistakes and clarify the matters. And in doing so, a level of sternness and harshness might be employed. But while reading, please keep in mind that this technique is only intended to emphasize the issues and never to harm the honour of these people. And we ask Allāh to temper our speech with justice, decisiveness, accuracy and sensitivity. And the goal of this project is not to call to any particular personalities. It is intended to arrive at the truth and we seek Allāh's aid in that.

Part 1: Issues related to Khālid Al-‘Anbarī and his book “*Al-Hukmu Bi Ghayri Mā Anzal Allāhu Wa Usūl At-Takfīr*,” and the subsequent posting of his series of articles entitled “The ‘Anbarī Papers” by www.salafipublications.com

After the aforementioned *Fatwā* from *Al-Lajnah Ad-Dā‘imah* ⁴⁸ and several criticisms and refutations of the book and its author, Khālid Al-‘Anbarī wrote to *Al-Lajnah* requesting that they provide proof of their allegations and he authored several follow-up treatises defending the position that he took in the book. His position, as was that of *Shaykh* Nāsir Ad-Dīn Al-Albānī, may Allāh be merciful to him, ‘Alī Al-Halabī ⁴⁹ and several others of this type, is that ‘Ruling by Other Than What Allāh Revealed’ is only *Kufr Al-Akbar* when the ruler believes that his actions are *Halāl* (i.e. *Istihlāl*) or when he rejects, in his heart, what Allāh revealed (i.e. *Takthīb*) or that his own *Hukm* is better for the slaves etc. And these people, including Khālid Al-‘Anbarī, even extend this opinion to the ruler who replaces the laws of the *Sharī‘ah* with his own fabricated laws and to the one who makes general legislation, which oppose the laws of the *Sharī‘ah*. And may Allāh protect us from such foolishness and negligence.

This section is intended to address the issues of Khālid Al-‘Anbarī and his book; however we will make comments, which will also extend to other issues along the way. Most of what we will use in this section comes from the series of articles called “The ‘Anbarī Papers”, which were translated and posted by www.salafipublications.com.

⁴⁷ *Inshā’ Allāh*, we will quote some of the statements of www.salafipublications.com which will demonstrate their own insulting nature and bitter, vicious, contemptuous and hateful statements, whether they are focused towards individuals or invented categories of people whom they lump together and ascribe foolish and ridiculous names.

⁴⁸ Mentioned in an early footnote of this project

⁴⁹ We will address the issues related to ‘Alī Al-Halabī shortly, *Inshā’ Allāh*.

Was the Fatwā Approved by the Entire Committee?

The author of "The 'Anbarī Papers: Part 1" said, in his introduction concerning the *Fatwā* which banned Al-'Anbarī's book:

"Further, one of the signatories was not involved in making the judgement since he was ill at the time, confined to his house, and relegated the issue to the remainder of the signatories - as has reached us from numerous reliable authorities."

And by this reference, we assume that they are referring to Sālih Al-Fawzān who was rumoured to be in disagreement with the Committee's *Fatwā*. To this we quote the following text transcribed from the Real Audio phone call, which has circulated the Internet:

Questioner: "O *Shaykh*, I love you for the sake of Allāh and this is my question, hoping that your heart will accept from us: It is said about you that you do not agree with the *Bayān* of the Committee of Senior 'Ulamā' upon the book '*Al-Hukmu Bi Ghayri Mā Anzal Allāh*.' It is also said, 'Why did this *Bayān* come out now while the book has been published for now about two years?' It is also said that this *Bayān* encourages the people of *Takfīr*. We hope for an answer which will make this clear because this matter has an affect upon us."

Answer from *Shaykh* Sālih Ibn Sālih Al-Fawzān: "As far as my signature, I have signed this *Bayān* and my signature is present upon it and I read it and I agree with it and I signed it. And concerning why this *Bayān* has come out recently, the book was not presented to us except in these days and we answer what has been presented to us. And as far as what has been said about this encouraging the *Takfīri'īn*, this isn't upon us. It is only upon us to make the truth clear. The book contains errors in it, which we made clear and we highlighted them. And it is not upon us what so-and-so says and so-and-so does not say. This is what is *Wājib* upon us." ⁵⁰

So this was the same 'Ālim who www.salafipublications.com delighted in quoting in order to refute the concept of *Tawhīd Al-Hākimiyyah* as a fourth and separate category of *Tawhīd*. ⁵¹ And they have taken great pains to emphasize the explanation of his words in

⁵⁰ So we see that the *Shaykh* was in total agreement with the declaration and agreed with each and every word that the *Fatwā* came with. And this is clear from his words, "The book contains errors in it, which we made clear and we highlighted them." So if he did not agree with all the points of the *Fatwā*, he would not say "...we highlighted them."

⁵¹ We say that this form of *Tawhīd* is unnecessary as a separate, fourth category as all of it's aspects fall into the other three categories of *Tawhīd*. So we say that ruling by what Allāh revealed is necessary for the existence of *Tawhīd Al-Ulūhiyyah* as this is a manifestation of *Tawhīd*, which is directed from the slaves towards their Lord. And we say that ruling by what Allāh revealed is a necessary for the existence of *Tawhīd Ar-Rubūbiyyah* because ruling generally by anything other than that would imply the denial of the Lordship of Allāh in His Legislation towards His slaves. And we say that it is a necessary component for the existence of *Tawhīd Al-Asmā' Wa As-Sifāt* because of how many of Allāh's Names and Attributes describe His Omnipotence in Governance. So this issue does not really require a separate category of

his book "*Kitāb Al-Tawhīd*" in order to attempt to show that his words were not intended to be referring to specific rulers in the Gulf States.⁵² And yet, we see that he and the other members of *Al-Lajnah Ad-Dā'imah*, whom www.salafipublications.com love to quote when their statements support their opinions, have not reversed their *Fatwā* and have not recanted from their position regarding Khālīd Al-'Anbarī, even after Al-'Anbarī sent his treatises to them.⁵³

What Are the Implications Upon the Committee Because of this Fatwā?

You will soon see these biased partisans, accusing the Salafis of ascribing the ideas of the Khawarij to the Permanent Committee for Research and Verdicts. However, as al-Hafiz Ibn Hajar cannot be accused of Ash'arism simply because some of his statements are used by the Ash'aris as proof, likewise the case of Ibn al-Jawzī, he cannot be associated with the Jahmiyyah simply because his works are used by the Jahmīs to assault Ahl us-Sunnah. Similarly, the Salafis free the Permanent Committee from being Khawarij, despite the fact that their verdict is being used by the Khawarij of the Era to justify their vain desires. How can they be so when they are free of performing takfir on account of sins such as singing, drinking and the likes – unlike the mentors of the biased partisans, about whom Imām al-Albani stated, **"the Khawarij of the Era"** and whose evil is, **"the evil of ignorance, misguidance and scum"** in his view?!

The point that we would like to make here is that Ibn Hajar *did*, in fact, say statements of *Ta'wīl* concerning the Attributes of Allāh and it is not simply that his statements were used by the *Ashā'irah* afterwards. The statements of *Ta'wīl* of Ibn Hajar are just as established as the fact that his words were later used by the *Ashā'irah*. In fact, the *Ashā'irah* would never have used his statements to support their positions if he had not made *Ta'wīl*. So we cannot deny that Ibn Hajar had mistakes in this area, but neither can we say that he was from the *Ashā'irah* either, because he did not adhere to their *Usūl* concerning His Names and Attributes. Rather, we take the middle course with respect to this issue. So we say that Ibn Hajar had some mistakes in the area of the Names and Attributes of Allāh and that he made *Ta'wīl* and that these are the concepts of the *Ashā'irah*.

So this is the truth concerning Ibn Hajar. And if this is the truth concerning him, then what does this imply about www.salafipublications.com in their view of the Permanent

Tawhīd in order to prove that 'Ruling by Other Than What Allāh Revealed' is *Kufr Al-Akbar*. However, we do not revile those who use *Al-Hākimiyyah* as a fourth category of *Tawhīd* in order to emphasise its importance. This is because someone might just as easily say that *Tawhīd Al-Asmā' Wa As-Sifāt* is unnecessary since it can be covered in both *Tawhīd Al-Ulūhiyyah* and *Tawhīd Ar-Rubūbiyyah*. And Allāh knows best.

⁵² *Inshā' Allāh*, we will review this article in an upcoming section as well.

⁵³ And how pathetic it is that the *Fatāwa* and books and cassettes from these same scholars are used when it benefits and supports the position of www.salafipublications.com and that this website stands behind the statements from these scholars to the point where they attack individuals with their words, and yet the instant that this Committee issues a *Fatwā* against the book which expounds some of www.salafipublications.com's opinions in a particular issue, they abruptly throw their support into reverse.

Committee? This would mean that their *Fatwā* against Khālīd Al-‘Anbarī was from the mistaken concepts of the *Khawārij*. As they said, “Similarly, the Salafis free the Permanent Committee from being *Khawārij*, despite the fact that their verdict is being used by the *Khawārij* of the Era to justify their vain desires.” So this implies that they are not holding the Permanent Committee to be among the *Khawārij* but this also means that this *Fatwā* is from the mistakes of the *Khawārij* just as we have explained about Ibn Hajar and his statements about the Names and Attributes of Allāh. And what makes this even more certain, is the following statement of the author: “How can they be so when they are free of performing takfir on account of sins such as singing, drinking and the likes...” So this shows that they free the Permanent Committee from the *Usūl* of the *Khawārij* but they have not freed them from the mistaken ideas of the *Khawārij*. And this is quite an accusation indeed.

Does this Fatwā Imply Absolute Takfīr?

So Khālīd Al-‘Anbarī said:

However, those who do Takfir of the Rulers that judge by secular law in an absolute manner, without any investigation or clarification, use the words of the Shaikh and Allāmah, Muhammad Bin Ibrahim – may Allah have mercy upon him – found in his treatise ‘Tahkim ul-Qawanin’ (Judging by Secular Law).⁵⁴

This is a common exaggeration which the likes of www.salafipublications.com and Khālīd Al-‘Anbarī allege against those who hold the ‘Ruling by Other Than What Allāh Revealed’ to be *Kufr Al-Akbar*. The truth of the matter and what *Ahl As-Sunnah Wa’l-Jamā’ah* are upon, is that even the one who is guilty of performing an action, holding a belief or speaking a statement of *Kufr Al-Akbar*, cannot be made *Takfīr* until all of his excuses are eliminated and all of the conditions of *Takfīr* are present. So we say that whoever ‘Rules by Other Than What Allāh Revealed’ is a *Kāfir*. But this is a general label and we do not apply this label to every individual specific ruler until we establish all the conditions of his *Takfīr* and eliminate all of what would defend him from this *Takfīr*.⁵⁵

⁵⁴ The ‘Anbarī Papers: Part 1: Enquiry to the Permanent Committee About Its Verdict (Article ID: MNJ050009)

⁵⁵ Ibn Taymiyyah, may Allāh be merciful to him said, “The truth of the matter regarding this, is that a statement may be *Kufr*. So it is said, ‘Whoever says this (thing) is a *Kāfir*.’ However, an individual who says this thing is not immediately called a *Kāfir* until the clarification – the kind of which will render a person a *Kāfir* if he denies it, has been established upon him...”

‘And the sayings, which – whoever says them, disbelieves; it may be that that man did not possess the texts, which are required to understand the truth (or maybe they) did not reach him or he might have them but he did not consider them acceptable * or he may not have understood them correctly or he may have misunderstandings that Allāh will excuse. So whoever, from the *Mu’minīn*, is a *Mujtahid* [a jurist capable of using the texts to derive a ruling or – if there are no texts, he is qualified to exercise his *Ijtihād* (deductive reasoning)], but makes an error, then surely Allāh will forgive his error, whoever he may be. (This applies) whether it is in matters of belief or matters of deeds. **This is what the *Sahābah* of the Messenger of Allāh صلى الله عليه وسلم and the majority of the *Imāms* of *Islām* are upon.** And they do not

And what we find completely dumbfounding is that www.salafipublications.com has posted a booklet on the subject of *Takfīr* called, “**The Excuse of Ignorance and Takfīr**”⁵⁶ and in this book is a section entitled, “PART TWELVE: The Distinction Between An Action’s Being *Kufr* And The Doer Of The Action’s Being A *Kāfir*.” And under this section is an explanation of this exact rule.

So in one article, www.salafipublications.com attempts to demonstrate how the people who say that the rulers who ‘Rule by Other Than What Allāh Revealed’ are *Kuffār* are doing so in an unrestricted, and absolute manner without any investigation or clarification and in another article, they have explained how such statements are not unrestricted and absolute. And this is one out of many demonstrations of how these people do not really grasp the issues in which they have taken such strict positions.

And also, Khālīd Al-‘Anbarī has this same kind of ignorance about the issues wherein he states one thing as a rule in order to establish his position and then he gives an example later of how he has completely missed the point of the previous rule he established.

For example:⁵⁷

Khālīd Al-‘Anbarī said, “And it would have been simpler for us to relax ourselves from making rules for this project if the people in our time would just consider what happened in the time of the Prophet considering that An-Najāshī was the king of his people and he used to rule them with other than what Allāh revealed upon His Messenger. Yet the Messenger did not judge upon him with *Riddah* and leaving the *Millah*. Because if the

divide matters into matters of *Usūl* (foundations) – that he who negates it (automatically) disbelieves or into *Furū’* (branches) – that he who negates it never disbelieves...’

‘And the general curse does not always imply the cursing of the specific individual (because) that (person may) have something that prevents the curse from applying to him. And like that, are the general *Takfīr* and the general threats of punishment. Based on this, the general threat of punishment in the *Book* and the *Sunnah*, is made subject to the precondition of the establishment of conditions and the elimination of all the defences (of that individual)...’

‘...And I used to make it clear to them that it has been narrated to them from the *Salaf* and the *Imāms* that making *Takfīr* to one who says such-and-such is also correct, but it is compulsory to differentiate between the general and the specific (by declaring), ‘Whoever does this, then he is such-and-such!’ And this is the same way the *Salaf* did it when they would say, ‘Whoever says such-and-such, then he is such-and-such.’ The specific individual will prevent the general threats of punishment from applying to him through his *Tawbah* or rewards which cancel it (i.e. the general threats) or the trials, which befall him that might cancel it or the intercession that is accepted (by Allāh).” – From “*Majmū’ Al-Fatāwa*”, Vol. 3/230; Vol. 10/329; Vol. 23/41

⁵⁶ Article ID: MNJ090002

⁵⁷ These quotations are from “*Al-Hukmu Bi Ghayri Mā Anzal Allāhu Wa Usūl At-Takfīr Fī Dhaw’ Al-Kitābi Wa As-Sunnah Wa Salaf Al-Ummah*” – published by ‘*Maktabat Al-‘Ilm*’ in Jeddah 1415 (Second Edition published in 1417/6/9) We have this book and have reviewed it briefly and found it full of what *Al-Lajnah Ad-Dā‘imah* has alleged. And we seek the refuge in Allāh from its foolishness.

Hukm Bi Ghayri Mā Anzal Allāh was *Kufr Akbar*, which removes one from the *Millah* totally, without *Juhūd* or *Istihlāl*, then the Prophet and the *Sahābah* would not have prayed the funeral prayer upon him.”⁵⁸

And earlier in the book he explained the rule entitled: Chapter Title: “The Muslim does not disbelieve by a saying or an action or belief until the *Hujjah* (i.e. clarifying argument) is made upon him and the misunderstanding is removed.”⁵⁹

An-Najāshī Did Not Rule According to What Allāh Revealed?

So Khālīd Al-‘Anbarī said that An-Najāshī did not rule his people by what Allāh revealed and that if this was an action of *Kufr Al-Akbar* on its own, then the Prophet, ﷺ, and the *Sahābah*, would not have prayed the funeral prayer upon him, obviously because this would have made him a *Kāfir*. So we ask, “What about the earlier rule?” How can he expect the Prophet and the *Sahābah* to judge An-Najāshī with *Riddah* (apostasy) and leaving the *Millah* without the *Hujjah* being made to him?! And because we have no knowledge of the *Hujjah* being made to him, we would have no knowledge of his *Kufr* and if only Khālīd Al-‘Anbarī would have adhered to his own rules, then maybe he would have seen that the ruler who replaces the laws of the *Sharī‘ah* with his own fabricated laws and legislates in the lives of the Muslims with laws which oppose *Islām*, is a *Kāfir*.

About this we say:

Firstly: To claim anything in the *Sharī‘ah*, there must be evidence to prove it. This is from the rules within every science of *Islām*, be it *Aqīdah*, *Fiqh*, *Tafsīr* or anything else. So we reply to this with Allāh Ta‘āla’s Saying:

قُلْ هَاتُوا بُرْهَانَكُمْ إِن كُنْتُمْ صَادِقِينَ

Say "Produce your proof if you are truthful."⁶⁰

Then, if they do not produce any evidence, then they are not from the truthful ones.

Secondly: Not only are they claiming something without proof, but they are accusing a Muslim who is a *Mukhadhram*⁶¹, of an action, which even in their false opinion is *Kufr*

⁵⁸ Pg. 62

⁵⁹ Pg. 17

⁶⁰ *Sūrat Al-Baqarah*, 111

⁶¹ **Linguistically:** Someone who lives over two or more generations or eras. **The *Sharī‘* definition:** Someone who lived in the time of the Prophet ﷺ and believed in him, but never saw him. So he isn’t a *Sahābī* because he never saw the Prophet ﷺ, but since he believed in the Prophet ﷺ during his lifetime, he is considered from higher than the other *Tābi‘īn*, according to some of the scholars.

Asghar, and they do this without any evidence. Yet if we say that an individual of our time, said a statement of *Irjā'*, which is only an accusation towards the statement and not the person, as well as *Irjā'* being less than ruling by other than what Allāh revealed, we are called *Khawārij*, even if we bring evidence.

Thirdly: He tries to make *Qiyās* between An-Najāshī and the current rulers. Let us look at this *Qiyās*.

1. An-Najāshī died before the *Sharī'ah* was even finished, as mentioned by Ibn Kathīr in "*Al-Bidāyah Wan-Nihāyah*" ⁶², while the rulers today have the full *Sharī'ah* that they can rule with.
2. In the time of An-Najāshī, the methods of communication were few, and they were very slow and not accessible all the time. The new *Ahkām* that would be revealed and would not reach the people in *Al-Habashah* for a long time, if they even did reach there. This is clearly proven in the *Hadīth* of 'Abdullāh Ibn Mas'ūd, may Allāh be pleased with him, who said: "We used to give the *Salām* to the Prophet صلى الله عليه وسلم while he was praying, then he would reply to us. Then when we returned from An-Najāshī, we gave the *Salām* to him then he did not reply to us. So we said: 'O Messenger of Allāh, verily we used to give *Salām* to you, then you would reply to us.' He said: **((Verily in the *Salāt* there is activity))**" ⁶³
4. We know from the statements of Al-'Anbarī, www.salafipublications.com and all those like them, that they would say that the one who doesn't rule by the *Sharī'ah* is a *Thālim/Fāsiq*. ⁶⁴ So here we close this issue with the following. Since An-Najāshī died before the completion of the *Sharī'ah*, he can only be in one of the following four categories:
 - a) The first is that, he had with him, knowledge of all of what was revealed from the *Sharī'ah* up to that point, and he ruled with all of it.
 - b) The second is that he had knowledge of all of what was revealed from the *Sharī'ah* up to that point and he didn't rule with all of it.
 - c) The third is that he didn't have all of what was revealed from the *Sharī'ah* up to that point, but he ruled with all of what he had.
 - d) The fourth is that he didn't have all of what was revealed from the *Sharī'ah* at that point and he didn't rule with all of what he had.

If An-Najāshī was in the first category, then they cannot use his issue as evidence, because it is totally false, even though him having all of the *Sharī'ah* at that point is extremely unlikely due to what has passed from the evidence. Also, if he is in the

⁶² "*Al-Bidāyah Wan-Nihāyah*", Vol. 3/277

⁶³ Narrated by Al-Bukhārī, Muslim, Abū Dāwūd and Ahmad with the mentioning of *Al-Habashah*, and this is the phrasing of Al-Bukhārī. Ibn Mājah narrated it without the story, only mentioning the saying of the Prophet صلى الله عليه وسلم.

⁶⁴ Look to Article ID: MNJ050001 for example.

third category, then his issue cannot be used as evidence, because he did all of what he was knew of, and we know that no one has held upon him more than he knows, and that ignorance is an excuse when someone tries there hardest. If he is in either the second or fourth category, meaning that he didn't rule with all of what he had knowledge of from the *Sharī'ah*, then these would be the only categories that could be used as evidence, with the condition that it could be proven, which it cant be. But we know that this wasn't the case due to the following *Hadīth*. From Jābir Ibn 'Abdillāh, may Allāh be pleased with him, that the Prophet صلى الله عليه وسلم said when An-Najāshī died: **((Today a righteous man died, so stand up and pray upon your brother, As'hamah))** ⁶⁵ and in a narration: **((...a righteous slave of Allāh...))** ⁶⁶ So this is proof that he ruled with all of what he had at the time, whether he had all of what was revealed from the *Sharī'ah* at that time, or only some of it. This is because, if he didn't rule with all of what he had knowledge of, then this action would be *Kufr Asghar* according to them, and it would be *Thulm* and *Fisq*. And since An-Najāshī would have known of these *Ahkām*, then he would have no excuse, so he himself would have been a *Thālim* and a *Fāsiq*. But we know that he wasn't a *Thālim* or a *Fāsiq*, because the Prophet صلى الله عليه وسلم called him **((...a righteous man...))** in one narration, and a **((...righteous slave of Allāh...))** in another narration. And we seek refuge in Allāh from saying that the Prophet صلى الله عليه وسلم would call a *Thālim* or a *Fāsiq* a righteous man.

So these are some examples of how Khālid Al-'Anbarī has not really understood the issues of *Īmān*, *Kufr* and *Takfīr* just as we've seen www.salafipublications.com have not either.

Ijmā' Concerning the General Legislation?

Later in The 'Anbarī Papers: Part 1, Khālid Al-'Anbarī said:

Was it because that I claimed in my book – as asserted in the fatwā of the Committee - a consensus, *ijmā*, that there is no Takfir for the one who rules by other than what Allah has revealed – with general legislation, *tashrī'an āmman*, except when he declares it lawful with his heart [i.e. as a matter of belief] (*istihlāl qalbi*)?

ONE: I implore you by Allāh the Most High and Most Great that you find such a consensus in my book?! Bring to me even a single letter from it!! That which is to be found in my book on page 81 in large black writing with a very long title is:

A Great Issue: Affirmation of the Consensus of the Salaf and the Khalaf of Ahl us-Sunnah and Others About the Absence of Disbelief of the One Who Ruled by Other

⁶⁵ Narrated by Al-Bukhārī

⁶⁶ Narrated by Muslim

Than What Allāh Revealed Without Wilful Denial, Juhūd, or Claiming its Lawfulness, Istihlāl ⁶⁷

Yet, in The 'Anbarī Papers: Part 2, the author shows how he makes no distinction between the ruling in one particular instance and the ruling in general legislation. So if Al-'Anbarī holds these two forms of ruling to be equal and says that both of these actions cannot cause the ruler to leave *Islām* without *Istihlāl* or *Juhūd*, then this title which includes the phrase, "...**the One Who Ruled by Other Than What Allāh Revealed...**" must refer to both forms of 'Ruling by Other Than What Allāh Revealed' and thus, the Committee was correct in their allegation that Al-'Anbarī claimed a consensus which included general legislation. And if www.salafipublications.com had the understanding of the issues it was posting in article after article, they would have seen this and been aware of this.

More Accusations of Absolute Takfīr

Next, in The 'Anbarī Papers: Part 1, the author says:

THREE: Certainly, those who oppose me, the ones who perform Takfir of the rulers who judge by secular laws, absolutely and unrestrictedly, without any further investigation or clarification, also claim a consensus, *ijmā*, concerning Takfir of the Rulers without any sound, knowledge-based support. I expounded upon this in my book. Yet no one has given a verdict to forbid the publishing of their books?! ⁶⁸

So here we see the same foolish exaggeration of www.salafipublications.com and the likes of Khālīd Al-'Anbarī who has lumped all those who oppose him to be "...the ones who perform Takfir of the rulers who judge by secular laws, absolutely and unrestrictedly, without any further investigation or clarification..." And again, we say that this act is *Kufr*, which expels one from the realm of *Islām*, and yet we still say that all of the conditions of *Takfīr* must be present and all the preventative factors of *Takfīr* must be eliminated before this ruling of *Kufr* is applied upon any individual particular ruler. So we are free from this kind of extremeness that these people accuse us of and if they were to accuse this to anyone, then let them accuse this to the 'Allāmah, Shaykh Ibn Bāz who gave a *Fatwā* about this exact issue in the second question from the *Fatwā* no. 4400:

Questioner: "There are those who say, 'Whoever accepts the message of Muhammad صلى الله عليه وسلم, and faces the *Qiblah* in his *Salāt* then even if he prostrates to his *Shaykh*, he does not disbelieve and he is not to be called a *Mushrik*.' Even they say that Muhammad Ibn Abdul Wahhāb – the one who said about the *Mushrikīn* that they are eternally in the Fire if they do not make *Tawbah* – that he made a mistake. And they say, 'The *Mushrikīn* in this *Ummah* will be punished and then taken out to the *Jannah*,' and they said, 'The *Ummah* of Muhammad صلى الله عليه وسلم, will have none of its (members) eternally in the Fire.'

⁶⁷ Article ID: MNJ050009

⁶⁸ From the same article

Answer from the Committee: “Anyone who believes in the message of our Prophet Muhammad ﷺ, and the rest of what he came with from the *Sharī’ah*; if he prostrates after that, to anything other than Allāh – be it a *Walī* (i.e. guardian) or someone in a grave or a *Shaykh* of a path – then he is a *Kāfir/Murtadd* from *Islām* and a *Mushrik* with Allāh, even if he declares the *Shahādatayn* while he is in *Sujūd*. (This is) because he came with something that nullified his declaration (and that) was his *Sujūd* to other than Allāh. However, he could be excused because of his *Jahl* so the punishment would not fall upon him until it (i.e. its impermissibility) has been made known to him and the *Hujjah* is made upon him. And he is to be given three days excusing him so he can return to himself in hopes that he might repent. Then if he stays upon his prostration to other than Allāh, after it has been made known to him, he is to be killed for his *Riddah* because of the saying of the Prophet ﷺ, ‘Whoever changes his *Dīn*, then kill him.’ – Narrated by *Imām* Al-Bukhārī in his *Sahīh* by Ibn ‘Abbās, may Allāh be pleased with them. **So the making clear and making the *Hujjah* is to excuse him before the punishment is put upon him and not in order for him to be called a *Kāfir* with what was committed by him be it prostrating to other than Allāh or him vowing or slaughtering a lamb for other than Allāh etc.** And the Book and the *Sunnah* have indicated that the one who dies upon *Shirk* is not forgiven and remains in the Fire eternally because of His, *Ta’āla*’s saying: **Verily Allāh does not forgive that you set up partners with Him but he forgives less than that to whomever He wills.** (*An-Nisā*’, 45, 116) And His saying: **It was not for the *Mushrikīn* to maintain the Mosques of Allāh if they bear witness to themselves with *Kufr*. Those are the ones whose actions are nullified and they are in the Fire eternally.** (*At-Tawbah*, 17) And from Allāh is the help and may Allāh bless and bestow peace upon our Prophet Muhammad and his family and his companions. – *Al-Lajnah Ad-Dā’imah Lil Buhūthi Wa’l-Iftā’*

President: ‘Abdul ‘Azīz Ibn ‘Abdillāh Ibn Bāz

Vice President: ‘Abdur-Razzāq ‘Afīfī

Member: ‘Abdullāh Ibn Qa’ūd⁶⁹

So what we understand from this *Fatwā* is that the one who performs acts of *Kufr Al-Akbar* can be made *Takfīr* to immediately without the *Hujjah* being established upon him and that the *Hujjah* is only necessary in order to apply the punishment and this is an extremism, which we do not agree with because the *Qur’ān* and the *Sunnah* indicate other than that.⁷⁰ However, this is a mistake from *Shaykh* Ibn Bāz, may Allāh be merciful to

⁶⁹ Vol.1/334-335

⁷⁰ Abū Wāqid Al-Laythī may Allāh be pleased with him said, “We went out with the Messenger of Allāh to Hunayn, and we were new out of *Kufr*”, and they had entered into *Islām* on the Day of *Al-Fat’h* (The conquest of *Makkah*). He said: “So we passed by a tree, so we said: ‘O Messenger of Allāh, make for us *Thāt Anwāt* as they have *Thāt Anwāt*.’ And the *Kuffār* had a Christ’s Thorn tree that they would seclude themselves around and they would hang their weapons upon it and the called it *Thāt Anwāt*. So when we said that to the Prophet, he said: **((Allāhu Akbar, and you have said, by the One in whose Hands is my soul, as the *Banū Isrā’īl* (The Children of Israel) said to Mūsā: “Make for us an *ilāhan* (a god) as they have *āliha* (gods).” He said: “Verily, you are a people who know not” You will follow the ways of the people who came before you.))** – Narrated by At-Tirmithī, Ahmad and Ibn Abī ‘Āsim in, “*As-Sunnah*” and *Shaykh* Al-Albānī declared it *Hasan* it during his verification, and this is the phrasing of Ibn Abī ‘Āsim.

him, which www.salafipublications.com would likely never mention because there is a risk that this would discredit him in the issue of *Takfīr*, and they would never do this to those who support their opinions of 'Ruling by Other Than What Allāh Revealed'.

More on the Ijmā' Concerning General Legislation

And the second part of Al-'Anbarī's statement here, "...also claim a consensus, *ijmā*, concerning *Takfīr* of the Rulers without any sound, knowledge-based support. I expounded upon this in my book."

Let us examine the *Ijmā*' of 'Ruling by Other Than What Allāh Revealed' in the sense of replacing the laws of the *Sharī'ah* with the fabricated laws.

Ibn Taymiyyah said, "And it is known by necessity in the *Dīn* of the Muslims **and by the agreement of all the Muslims** that whoever permits the following of a *Sharī'ah* other than the *Sharī'ah* of Muhammad then he is a *Kāfir* and it is like the *Kufr* of the one who believes in some of the Book and disbelieves in some of the Book. Like He, *Ta'āla* said:

إِنَّ الَّذِينَ يَكْفُرُونَ بِاللَّهِ وَرُسُلِهِ وَيُرِيدُونَ أَنْ يُفَرِّقُوا بَيْنَ اللَّهِ وَرُسُلِهِ وَيَقُولُونَ نُؤْمِنُ بِبَعْضٍ وَنَكْفُرُ بِبَعْضٍ وَيُرِيدُونَ أَنْ يَتَّخِذُوا بَيْنَ ذَلِكَ سَبِيلًا. أُولَئِكَ هُمُ الْكَافِرُونَ حَقًّا وَأَعْتَدْنَا لِلْكَافِرِينَ عَذَابًا مُهِينًا
"Verily, those who disbelieve in Allāh and His Messengers and wish to make distinction between Allāh and His Messengers (by believing in Allāh and disbelieving in His Messengers) saying, "We believe in some but reject others," and wish to adopt a way in between. They are in truth disbelievers. And We have prepared for the disbelievers a humiliating torment." (*An-Nisā*', 150-151)⁷¹

So this was *Kufr* and the Prophet, peace be upon him, did not differentiate between this statement of *Kufr* and that of the Children of Israel, yet he neither made *Takfīr* to them neither did he punish them with the punishment of apostasy. Rather he explained to them that this is a statement of *Kufr* and related it to the statement of the Children of Israel to emphasize it. And this was because the *Hujjah* was not made to them prior to this statement of theirs, due to their recently being out of *Kufr*. And the *Sunnah* is filled with examples such as this, which indicates that the *Hujjah* is to prevent the *Takfīr* as well as the punishment.

⁷¹ "*Al-Fatāwa*", Vol. 28/524

An Important Benefit:

The phrase "...*man sawwagha*...", has been re-translated based on the discovery of a brother who advised us, as "...whoever permits..." however his translation of "...whoever permitted..." almost seems to leave the English reader with the impression that this phrase means "whoever declares to be lawful (*halāl*)" or "whoever considers it permissible (*jā'iz*)", and this is not entirely correct either. Perhaps a more thorough definition of "*sawwagha*" would be: "to justify, legitimate, license or warrant," as Sakhr's "*Qamūs Al-Ajīb*" defined it at <http://dictionary.ajeeb.com>. Or it could also take the meaning of "*ajāz*" or "*abāh*", which is to "permit" or "allow", as Al-Fayrūzabādī mentioned in "*Qamūs Al-Muhīt*" (Look to: <http://www.dorar.net/htmls/mbooks.asp>). In this sense, the phrase might be, as the brother suggested: "...whoever permitted the following of a *Sharī'ah*..." So I would ask rhetorically, "Do the rulers, who rule with the manmade laws, which are in opposition to the *Hukm* of Allāh, 'permit' and 'allow' the people to follow his own fabricated legislation (*Shara'*), or do they forbid and prevent the people from following these laws?" And answer is obvious. And this is the difference between the phrase "*sawwagha*" and

And Ibn Kathīr said, "So whoever leaves the clear *Sharī'ah*, which was revealed to Muhammad Ibn 'Abdillāh, the Seal of the Prophets, and takes the *Hukm* to other than it from the laws of *Kufr* which are abrogated, he has disbelieved. So what about the one who takes the *Hukm* to the '*Yāsiq*' and puts it before it?! **Whoever does that,** ⁷² **he has disbelieved by the *Ijmā*' of the Muslims.** Allāh *Ta'āla* said:

أَفَحُكْمَ الْجَاهِلِيَّةِ يَبْغُونَ

"Is it the *Hukm* of *Jahiliyyah* that they seek?"

and:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِمَّا قَضَيْتَ وَيَسَلِّمُوا تَسْلِيمًا

"But no, by your Lord, they can have no Faith, until they make you (O Muhammad صلى الله عليه وسلم) judge in all disputes between them, and find in themselves no resistance against your decisions, and accept (them) with full submission." ⁷³

And 'Umar Al-Ashqar said, "And from this explanation it becomes clear to us that there are two types of people who have fallen into *Kufr* about which there is no doubt. The first, the ones who legislate that which Allāh did not reveal, and those are the ones who fabricate the laws that oppose the legislation of Allāh and they implement it upon the people **and the *Ijmā*' is upon their *Kufr* without doubt.**" ⁷⁴

And Mahmūd Shākir said, in his commentary of *Imām* At-Tabarī's *Tafsīr*, "So their question wasn't the *Ibādhiyyah*'s question to Abī Majlīz about the *Tafsīr* of this *Āyah* – about that which the *Mubtadi'ah* (innovators) of our time agree with concerning the judgment in money and blood with a law that opposes the *Sharī'ah* of the people of *Islām* and not concerning implementing a law upon the people of *Islām* and forcing them to

"*istihalahū*" or "*ajāzahū*", because a person can "permit" something, simply be allowing it happen. Yet this does not necessarily mean that he considers that thing to be lawful (*halāl*). And it does not necessarily mean that he declares that thing to be permissible (*jā'iz*), in terms of the *Islāmic Sharī'ah*. Just like a person might say to another, "How can you 'permit' your child to dress like that?" This phrase does not mean that the parent of this child considers this form of dress to be lawful (*halāl*) or *Islāmically* permissible (*jā'iz*), rather it means that the parent, who is the authority, has "permitted" it (*sawwagha*), and this is the difference and Allāh knows best.

⁷² And from the most ridiculous things that Al-'Anbarī tried to claim was that this *Ijmā*' that *Al-Hāfith*, Ibn Kathīr mentions, was only that the *Tartars* were disbelievers. But the text from the above words clearly do not support Al-'Anbarī's twisting. His words, "**Whoever does that...** can only be referring to what preceded them: "...and takes the *Hukm* to other than it from the laws of *Kufr* which are abrogated..." and this is a clear *Ijmā*' from Ibn Kathīr which leaves no doubt about the ruling of the rulers who substitute their own fabricated laws and replace the clear unambiguous laws of Allāh's *Sharī'ah*.

⁷³ "*Al-Bidāyah Wa An-Nihāyah*", Vol. 13/119

⁷⁴ "*Ash-Sharī'ah Al-Ilāhiyyah*", Pg. 179

take the judgment to other than the rule of Allāh in His Book and upon the tongue of His Prophet صلى الله عليه وسلم. So this action is turning away from the *Hukm* of Allāh and from His *Dīn* and putting the laws of the *Kuffār* above the law of Allāh, *Suhānahu Wa Ta'āla* and this is *Kufr*. **No one from the people of the *Qiblah* with their differences, doubts the *Kufr* of the one who says or calls to this.**" ⁷⁵

So these are examples of were the '*Ulamā* from the past and present have narrated the *Ijmā'* concerning the *Kufr* of the one who 'Rules by Other Than What Allāh Revealed.' And this was what we were able to find in our small effort and in the short amount of preparation that we have conducted. So imagine what the '*Ulamā* might find to disprove Al-'Anbarī's foolish claim! And how disappointing is that for www.salafipublications.com and their faithful readers.

Petty Complaints About the Book-Ban

And truly, the entire bulk of "The 'Anbarī Papers: Part 1" is basically the complaint of an angry man who spends more time complaining about the fact that the Permanent Committee has not banned other people's books and have chosen to ban his specifically.

Take the following quotations for example:

1. "Yet we have never heard any of the people of knowledge, without any exception, forbidding the publishing of his *Rihlah*, despite his lie against Shaikh ul-Islam in a matter which is far serious than this matter of mine."
2. "How then can the publishing, distributing and selling of this book be declared unlawful?!"
3. "Yet no one, in those times, or in the current times, has ever given a verdict that it is forbidden to circulate their books and that buying and selling them is banned."
4. "Yet no one has given a verdict to forbid the publishing of their books?!"
5. "But we did not hear the respected Committee make their circulation unlawful."
6. "...as I have established in my book whose publishing, selling and distribution has been made unlawful!!"
7. "...that led you to turn me into a criminal and make my book unlawful?!"
8. "Yet I did not hear any statement issued from the respected Committee which forbade the publishing of these books..."

So we see here that Al-'Anbarī spends most of his time bickering about his claim that his book had been unfairly picked on. And rather than focusing on the issue of 'Ruling by Other Than What Allāh Revealed', he chooses to complain to the Committee about other books which haven't been banned by them. And how elementary is that?

Approval of the Refutation of Al-'Anbarī

And also, Al-'Anbarī as well as www.salafipublications.com has made much of the fact that his book was prefaced with the positive preface of Sālih Ibn Ghānim As-Sadlān and

⁷⁵ "*Tafsīr At-Tabarī*" Vol. 10/348

he takes great pains to mention the most glowing part that *Shaykh* As-Sadlān gave to this book.

We have the introduction to “*Ar-Raddu ‘Alā Al-‘Anbarī*” from Muhammad Ibn ‘Abdillāh Husām from *Shaykh* Ibn Ghunaymān to quote. And it is interesting that www.salafipublications.com were so eager to spend their effort making *Tafsīr* of his words concerning the subject of *Al-Hākimiyyah* as a separate and fourth category of *Tawhīd* and they were so pleased when they were able to demonstrate that his words indicated a disapproval of *Tawhīd Al-Hākimiyyah*. Yet, this was the same one who opposed Al-‘Anbarī and gave the following preface to the main book, which opposed Al-‘Anbarī:

Al-Hamdulillāhi Rabbil ‘Ālamīn and may Allāh grant peace and blessings upon His Servant and Messenger, our Prophet Muhammad and his family and *Sahābah* all together.

To proceed:

The brother, Muhammad Ibn ‘Abdillāh Husām recited upon me what he wrote, concerning his *Radd* on Al-‘Anbarī in his book “*Al-Hukmu Bi Ghayri Mā Anzal Allāhu Wa Usūl At-Takfīr*”, **so I have seen that he was precisely upon the truth and he relied in his refutation, upon clear evidences.** Just as he aided his refutation with the sayings of the people of knowledge and he made clear with that, the mistake of the one whom this refutation is against. **And the missing of the truth in many of the matters, his (i.e. Al-‘Anbarī’s) turning away from the truth in many of the matters and even in the *Ādāb* of the treatise from calling the one who contradicts him to be from the *Khawārij* and his claiming that *Ahl As-Sunnah* and other than them are upon that the one who rules by other than what Allāh revealed, without *Juhūd* or *Istihlāl*, has not committed *Kufr*!** And then he bases upon this claim, the forbiddance of opposing that (i.e. supposed *Ijmā’*) and this means that whoever opposes the *Shara’* with fabricated laws and he says, ‘I do not make this *Halāl* and I do not reject the *Shara’*,’ then this is only the committing of a *Kabīrah*! So what does he say about His, *Ta’āla*’s saying:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا

“But no, by your Lord, they can have no Faith, until they make you (O Muhammad SAW) judge in all disputes between them, and find in themselves no resistance against your decisions, and accept (them) with full submission.”

and His, *Ta’āla*’s saying:

أَلَمْ تَرَ إِلَى الَّذِينَ يَزْعُمُونَ أَنَّهُمْ ءَامَنُوا بِمَا نُزِّلَ إِلَيْكَ وَمَا أَتَاكَ مِنْ قَبْلِكَ يُرِيدُونَ أَنْ يَتَحَاكَمُوا إِلَى الطَّاغُوتِ وَقَدْ أُمِرُوا أَنْ يَكْفُرُوا بِهِ وَيُرِيدُ الشَّيْطَانُ أَنْ يُضِلَّهُمْ ضَلَالًا بَعِيدًا

“Have you seen those (hypocrites) who claim that they believe in that which has been sent down to you, and that which was sent down before you, and they wish to

go for judgement (in their disputes) to the *Tāghūt* (false judges, etc.) while they have been ordered to reject them. But *Shaitān* (Satan) wishes to lead them far astray."

And the point is that, **what Muhammad Ibn 'Abdillāh has written is good and it is the correct thing from what I see and Allāh is the source of goodness."**

– Dictated by 'Abdullāh Ibn Muhammad Al-Ghunaymān 16/2 – 1419 H.

More Exaggerations About Takfīr

And we see in "The 'Anbarī Papers: Part 2" that www.salafipublications.com and their hero, Al-'Anbarī engage in some more laughable exaggerations like what we find in the beginning paragraph to his article. Al-'Anbarī says:

Since the statements of the people of knowledge – regardless of the status they may have reached – are not immune from errors and mistakes and can also be contested and subject to refutation, it is therefore obligatory upon me to explain my view concerning the manner in which many people have understood the statement of the Permanent Committee, no. 21154, dated 24/10/1420H, which maintains absolute and unrestricted takfīr of the one who rules by other than what Allāh has revealed in general legislation, at-tashrī' al-āmm.

So www.salafipublications.com and Al-'Anbarī see that this *Fatwā* somehow automatically makes *Takfīr* to every single specific, individual ruler who 'Rules by Other Than What Allāh Revealed' in general legislation. We have translated and posted the entire *Fatwā* in the first footnote of this project and nowhere does the Permanent Committee make *Takfīr* to anyone! What they *did* say was the following:

5. His claim that there is *ijmā'* from *Ahl As-Sunnah* that the one who does not rule by what Allāh revealed in *At-Tashrī' Al-Ām* (i.e. general legislation) except with the making it *Halāl* with the heart; that this is not *Kufr*, just like the rest of the disobediences, which are less than *Kufr*, and this is a lie upon *Ahl As-Sunnah*, its basis being either *Jahl* or evil intention. We ask Allāh to keep us free from this.

And we say with full confidence and clear conscience that only a person, who is completely ignorant of the principals and rules of *Takfīr*, could somehow interpret these words as meaning "...absolute and unrestricted *Takfīr*..."!

What these correct and well-founded words of the Permanent Committee mean is that the act of 'Ruling by Other Than What Allāh Revealed' in general legislation is an act of *Kufr Al-Akbar*, which removes one from the realm of *Islām*. And as we've stated before, the declaring of a particular belief, saying or action as *Kufr Al-Akbar*, is not the same as declaring every single, specific individual, who committed them to be a *Kāfir*. (Review footnote #30 for clarification) And we say that in this type of ridiculous claim of Al-'Anbarī and www.salafipublications.com, there can only be one of two possibilities:

- I. Either they are both deliberately being over-dramatic in order to deceive the readers, rile up their emotions and gain support for their own deviant and crooked and inconsistent methodology.⁷⁶
- II. They are both truly ignorant and oblivious and unqualified to speak about the subject of *Takfīr*, let alone admonish people in the subject!⁷⁷

Takfīr of Every Ruler?

And after that, Al-‘Anbarī even goes further in his exaggeration and extremism when he says that, "...if the Committee holds this view, the disbelief of the one who ruled by other than what Allāh revealed in general legislation - with this meaning - without declaring that to be lawful as a matter of belief, then it is obligatory upon the Committee to free itself in front of Allāh from that. Since, it necessitates some very great calamities, such as, for example:

ONE: Takfir of every single ruler without exception, and the various confrontations, tribulations and calamities between societies and governments that follow on from that."

Here, we remind the reader of Al-‘Anbarī’s own chapter heading entitled: “The Muslim does not disbelieve by a saying or an action or belief until the *Hujjah* is made upon him and the misunderstanding is removed.”⁷⁸

So again, Al-‘Anbarī has explained this rule correctly but does not apply it. He sees that certain actions, beliefs or statements can be *Kufr Al-Akbar*, yet this cannot be applied to a specific Muslim who has not had the *Hujjah* applied to him. However, he explains that the Committee’s assertion that ‘Ruling by Other Than What Allāh Revealed’ in general legislation is *Kufr Al-Akbar*, automatically means that they have declared each and every specific individual ruler as a *Kāfir* “without exception”, and this is far from the truth and

⁷⁶ And we give more weight to this possibility because this rule should have been known clearly by them due to their own translation and posting of *Shaykh* Ibn ‘Uthaymīn’s very words on the subject! And this is very clear in their article entitled “Shaikh Ibn Uthaimīn on Takfīr of an Individual” (Article no. MNJ090001) in which the *Shaykh* clearly explained this rule in full saying, “Hence, there is a difference between that which is associated with a description and that which is associated with an individual. When a person utters a statement of disbelief or commits an act of kufr, then we do not declare him to be a disbeliever until we look at what motivated him to do that.” So how likely is it that they could have been unaware of this rule and its interpretation while they have it clearly posted on the very same website as this article?! And we seek Allāh’s protection and aid against the exaggerations and twisting and deception of the people of desires.

⁷⁷ And although we have lent our support to the former possibility, there is no doubt that these people are indeed very ignorant of the subject of *Takfīr*; both in general matters and specifically when dealing with the issue of those who ‘Rule by Other Than What Allāh Revealed’.

⁷⁸ Pg. 17 of his book

it is a very petty and juvenile accusation which even violates the correct rules of *Takfīr* that Al-‘Anbarī himself narrated! ⁷⁹

Takfīr of the Jurists?

Next, Al-‘Anbarī says:

TWO: Takfir of many of the jurists, fuqaha, who make ijtiḥād based upon their desires and then legislate that which is in opposition to the rulings of Allāh the Most High. And especially since most of them depend upon Istiḥsan (i.e. considering something to be good or beneficial without a basis from the Sharī‘ah). And the statement of Imām ash-Shafi‘ī is well known, "Whoever resorted to Istiḥsan [in ijtiḥād] has legislated [into the religion]." In fact, ash-Shafi‘ī described it , in his Risalah (507), "Certainly, Istiḥsan is merely doing what is agreeable (i.e. satisfying to oneself)."

So Khālīd Al-‘Anbarī has made the jurists, who have made rulings based on *Ijtiḥād* due to their desires, to be equal to the *Hākim* (i.e. the Ruler) who abolishes the clear laws of the *Sharī‘ah* in his country and replaces them with his own invented laws and forces them on the people and orders that his subjects enforce these laws upon the masses and makes his fabricated laws to be the reference by which the people settle their disputes!

So we would ask the reader, "Can these two things be equal?" Let us consider this scenario. Imagine that there is a jurist in a particular country who makes a ruling out of *Ijtiḥād*, which suits his desires. The very fact that this ruling was based upon *Ijtiḥād* necessitates that there was two possibilities:

1. That there could not have been a clear ruling in that particular matter. Because if there was a clear ruling in the *Sharī‘ah* regarding this matter, then *Ijtiḥād* could not be employed in this case. This would be like if a jurist tried to issue a *Fatwā* which makes the consumption of alcohol or pork to be permissible. Would anyone say that this ruling was derived out of *Ijtiḥād*? Of course, this would be rejected as *Ijtiḥād* because of the existence of clear unambiguous texts which forbid these things. And the same would be the case of taking *Ribā*, committing murder or fornication or any of the other major sins, which the *Sharī‘ah* of *Islām* has clearly forbidden. ⁸⁰ And the statement of the ‘Ulamā of *Islām* is sufficient in this case: "There is no *Ijtiḥād* where there is a text." And if there were no clear texts indicating the correct ruling from the *Sharī‘ah* in this case, then we cannot say that this jurist replaced the law of *Islām* with his own fabricated law.

⁷⁹ And examples of www.salafipublications.com and Al-‘Anbarī’s exaggerations are so frequent on their website, that an entire project could be written to refute and expose them alone! So we will leave these few examples as sufficient proof of their deception and move on to other matters as we have undoubtedly made our point in this regard, *Inshā’ Allāh*.

⁸⁰ Of course we differentiate between making these things permissible in a general sense and making them permissible in the case of compulsion or necessity etc.

2. That there was a clear text, but the 'Ālim wasn't aware of it, misunderstood it or didn't consider it authentic. In this case, we would say that his ruling would be wrong, but there is no sin on him for that due to the fact that the ruling was made based on *Ijtihād*. This is clearly supported by the *Hadīth* of 'Amr Ibn Al-'Ās may Allāh be pleased with him, that he heard the Messenger of Allāh ﷺ saying: **((If the *Hākim*⁸¹ rules out of *Ijtihād* and is correct, then there are two rewards for him. And if he rules out of *Ijtihād* then is mistaken then for him there is one reward.))**⁸² So from this, we see that both possible scenarios do not even resemble the ruler who abolishes the *Sharī'ah* and rules with fabricated laws, so this is a false comparison that is full of defects and not acceptable in the *Shara'*.

However, if the *Hākim* brings laws, which oppose the *Islāmic* laws, and he forces them on the people while being unaware that these laws actually do oppose the *Islāmic Sharī'ah*, then he would likely not have any grounds for *Takfīr* to be made to him. This is because this *Hākim* was ignorant that these laws that he brought oppose *Islām*. And this is proven by the aforementioned *Hadīth* of 'Amr Ibn Al-'Ās, may Allāh be pleased with him. And also, the *Hadīth* of Abū Tharr Al-Ghaffārī may Allāh be Pleased with him who said: the Messenger of Allāh ﷺ said: **((Verily, Allāh has excused from my *Ummah* the accidents, the forgetfulness and what they are forced to do.))**⁸³ However, if this same *Hākim* came with these laws due to ignorance but the jurists in his land knew the falseness of these laws and were aware that they opposed *Islām* and still they supported and approved of these laws due to their desires, while being completely aware of the fact that they contradicted the clear laws of the *Sharī'ah*, then these jurists would have committed *Kufr Al-Akbar* and this would not be *Ijtihād*.

Al-Baghawī said, "The majority of the scholars said that the *Kufr* in ruling is when the (*Islāmic*) text is **intentionally contradicted**, while not being ignorant about it, nor by mistakenly interpreting it."⁸⁴

And the words of *Shaykh Al-Islām* Ibn Taymiyyah have come very clear on this matter:

"And whenever the 'Ālim leaves what he knows from the Book of Allāh and the *Sunnah* of His Messenger and he follows the *Hukm* of the *Hākim*, which opposes the

⁸¹ And here the word *Hākim* is used as a general term which includes the rulers, jurists and *Mujtahidīn* because the generality of the ruling of this *Hadīth* is applied to all those who make "decisions" and the commentary from the '*Ulamā*' have come clear regarding this.

⁸² Narrated by Al-Bukhārī, Muslim, Abū Dāwūd, Ibn Mājah and Ahmad, and this is the phrasing of Al-Bukhārī, and it was also narrated by An-Nasā'ī and At-Tirmithī from Abū Hurayrah may Allāh be Pleased with him, all with similar phrasings.

⁸³ Narrated by Ahmad, Ibn Mājah, and this is his phrasing, At-Tabarānī and Al-Hākim; "*Sahīh Al-Jāmi' As-Saghīr*", #1,731

⁸⁴ "Anwār *At-Tanzīl Wa Asrār At-Ta'wīl* ", by the *Shaykh*, Nāsir Ad-Dīn 'Abdullāh Ibn 'Umar Al-Baydhāwī, Vol. 1/50

Hukm of Allāh and His Messenger, then he is a **Murtadd/Kāfir** deserving of punishment in this life and in the Hereafter. He, *Ta'āla* said:

المص. كِتَابٌ أُنْزِلَ إِلَيْكَ فَلَا يَكُنْ فِي صَدْرِكَ حَرَجٌ مِنْهُ لِتُنْذِرَ بِهِ وَذِكْرَى لِلْمُؤْمِنِينَ. اتَّبِعُوا مَا أُنْزِلَ إِلَيْكُمْ مِنْ رَبِّكُمْ وَلَا تَتَّبِعُوا مِنْ دُونِهِ أَوْلِيَاءَ قَلِيلًا مَّا تَذَكَّرُونَ. وَكَمْ مِنْ قَرْيَةٍ أَهْلَكْنَاهَا فَجَاءَهَا قَجَاءَهَا بِأَسَنَّا بَيِّنًا أَوْ هُمْ قَانِلُونَ. فَمَا كَانَ دَعْوَاهُمْ إِذْ جَاءَهُمْ بِأَسَنَّا إِلَّا أَنْ قَالُوا إِنَّا كُنَّا ظَالِمِينَ

Alif-Lām-Mîm-Sâd. (This is the) Book sent down unto you, so let not your breast be narrow therefrom, that you warn thereby, and a reminder unto the believers. Follow what has been sent down unto you from your Lord and follow not any **Auliyâ'** (protectors and helpers) besides Him. Little do you remember! And a great number of towns (their population) We destroyed. Our torment came upon them (suddenly) by night or while they were sleeping for their afternoon rest. No cry did they utter when Our Torment came upon them but this: "Verily, we were **Zâlimûn** (polytheists and wrong-doers, etc.).⁸⁵

'Even if he is beaten and imprisoned and tortured with all different types of torture in order that he would leave what he knew from the *Sharī'ah* of Allāh and His Messenger, which is *Wājib* to follow and then to follow the *Hukm* of other than him; then he is still deserving of the punishment of Allāh. Instead, it is for him to be patient even if he is tortured for Allāh because this is the *Sunnah* of Allāh with respect to the Prophets and their followers. Allāh *Ta'āla* said:

الْم أَحْسِبَ النَّاسُ أَنْ يُتْرَكُوا أَنْ يَقُولُوا ءَامَنَّا وَهُمْ لَا يُفْتَنُونَ. وَلَقَدْ فَتَنَّا الَّذِينَ مِنْ قَبْلِهِمْ فَلَيَعْلَمَنَّ اللَّهُ الَّذِينَ صَدَقُوا وَلَيَعْلَمَنَّ الْكَاذِبِينَ

Alif-Lām-Mîm. Do people think that they will be left alone because they say: "We believe," and will not be tested. And We indeed tested those who were before them. And Allāh will certainly make (it) known (the truth of) those who are true, and will certainly make (it) known (the falsehood of) those who are liars, (although Allāh knows all that before putting them to test). (*Al- 'Anakbūt*, 1-3)⁸⁶

Takfīr of the Blind Followers of Schools of Thought?

Next *Al- 'Anbarī* said:

THREE: Takfīr of the blind-followers of the schools of thought in Fiqh. This is because the blind-follower does not judge by the judgement of the Book and the Sunnah, but he judges with the ruling of the Scholar that he follows. The 'Allāmah Siddiq Hasan Khan makes this clear in *Fath ul-Bayan* (3/31) where he states:

"This verse, '**And whosoever does not judge by what Allāh has revealed, such are the Kāfirûn.** [Ma'idah 5:44]', even though it was revealed concerning the Jews, is not specific to them alone, since its application is based upon the generality of its wording, not the specific

⁸⁵ *Al-A 'rāf*, 1-5

⁸⁶ "*Al-Fatāwa*", Vol. 35/373

instance of its revelation. The word 'man' (whosoever) is used as a condition, hence it is generally applicable (to everyone). This noble verse, therefore, applies to everyone who does not rule by what Allāh has revealed – and that is the Book and the Sunnah. The blind-follower does not claim that he rules by what Allāh has revealed. Rather, he affirms that he rules by the saying of such and such scholar! But he himself does not know that that ruling by which judges, is it from the mere opinion of the Scholar, or is it from amongst the matters for which he has extracted evidence [from the Book and the Sunnah]. Further, he does not know whether the Scholar is correct in his reasoning by way of his evidences or whether he has erred?? Or whether he has used very strong evidence or one that lacks credibility??"

So here Al-'Anbarī makes the *Hākim* who 'Rules by Other Than What Allāh Revealed' and replaces the clear laws of the *Sharī'ah* with his own fabricated laws, to be equal with the blind followers of the schools of thought. And we say to this that this is probably the most ridiculous thing that he has mentioned up to this point. And his statement, "This is because the blind-follower does not judge by the judgement of the Book and the Sunnah, but he judges with the ruling of the Scholar that he follows," is quite a stretch because the blind follower is not replacing the laws of *Islām* with the fabricated laws of his own invention. Rather, he is judging by what the scholars of *Islām* have deduced from the principals of *Fiqh*, which they interpreted from the *Qur'ān* and the *Sunnah*, and judging them with that. And this is very different to the *Hākim* who judges his people by the laws of France or by the laws of Britain or America and replaces the clear laws of the *Islāmic Sharī'ah* with these laws developed by *Kuffār* who hate *Islām*! And in bringing the words of the *Shaykh*, Siddīq Hasan Khān, Al-'Anbarī contradicts himself within the text of his own point. Look to the saying of the *Shaykh* where he says, "The blind-follower does not claim that he rules by what Allāh has revealed. Rather, he affirms that he rules by the saying of such and such scholar! **But he himself does not know that that ruling by which judges, is it from the mere opinion of the Scholar, or is it from amongst the matters for which he has extracted evidence [from the Book and the Sunnah].**"

So the *Shaykh* has confirmed that the blind follower, in his example, is unaware that these opinions of the scholars might, in fact, be contradicting the laws of *Islām*. And as we've stated before, ignorance is a defence from the *Takfīr*. And nowhere does the *Shaykh* in his above text say that this blind following is *Kufr Al-Akbar*, rather he has merely included this category under the threat of punishment of the aforementioned *Āyah*. And many are the statements of the scholars in which they apply the threat of punishment under specific *Āyahs* to include other issues in which that specific judgment does not fall upon them. However, as we've stated previously, if this blind follower was shown clearly how a particular ruling from a particular scholar was in direct contradiction with the *Hukm* of Allāh in a certain matter, and yet this blind follower chose to follow that ruling and continued to judge the masses of the people according to that, while being completely aware that this opposed the clear *Sharī'ah* of Allāh, then we would say that this ruling of *Kufr Al-Akbar* would apply in this case. And this is the difference between the two examples, however much Al-'Anbarī and www.salafipublications.com detest it! And we seek refuge in Allāh from twisting statements and deceiving.

And *Shaykh Al-Islām* said, in his explanation of the different types of legislation, "And the second (i.e. type), *Ash-Shara' Al-Mu'awwil* (i.e. the explained legislation) and it is the opinions of the *Mujtahidīn*/*'Ulamā'* like the *Math'hab* of Mālik and the likes of it. **And it**

is allowed to follow this and it is not *Wājib* and it is not *Harām* and it is not allowed for anyone to hold it upon the general people (i.e. in their private lives). And it is not for anyone to forbid it to the general people.”⁸⁷ So we see no confirmation from *Shaykh Al-Islām* that ruling according to a particular school of thought is *Kufr Al-Akbar*, rather he has stated that it can be taken or left.

So what we say is that if this blind follower is unaware of the correctness or incorrectness of a particular school of thought, and yet he sticks to these rulings and judges the people according to them while not striving his utmost to attain the truth, then he is guilty of laziness and heedlessness and is under the treat of punishment for not attempting to learn the true *Hukm* of Allāh in that matter and for taking a position where he would make judgments in the lives of people when he was not qualified to do so. As in the *Hadīth* of Buraydah, may Allāh be pleased with him, that the Messenger of Allāh ﷺ said: **((The judges are three; two judges in the fire and one judge in *Jannah*. A man judges with other than the truth (unjustly) and knows that so that one is in the fire. And a judge who does not know so he loses the rights of the people so he is in the fire. And a judge who judges with the truth (justly) so he is in *Jannah*.)**⁸⁸ And if he is aware of the incorrectness of the ruling of a particular school of thought and he is aware that it is impermissible to rule according to that incorrect ruling and yet he remains upon it in pride and continues to rule the people in general by that opposing *Hukm*, then he has replaced the *Hukm* of Allāh with that which he knows to be in contradiction to the *Sharī'ah* and has committed an act of *Kufr Al-Akbar*, which removes one from the realm of *Islām*. As *Al-'Allāmah*, Muhammad Ibn Ibrāhīm Āl Ash-Shaykh said, “If he roots himself in the mire of heedlessness, he is blameworthy. The (thing which is) *Wājib*, is to ask the people of knowledge, but if he knows that it is contradictory to the sayings of the Messenger ﷺ and (claims) that he is not sinful then this is *Shirk Akbar*, like the fabricated laws that have been adopted in the courts, they are from this type.”⁸⁹

Takfīr of the Innovators?

Next, Al-'Anbarī said:

FOUR: Takfir of the Innovators without any exception. For they have legislated into the religion that for which Allāh has not granted permission, deeming it correct by the disposition of their tongues and their statements. This is because the innovator has "...placed himself in the position similar to the legislator ... and by legislating has made himself resemble and equal to the legislator" as has been stated by ash-Shātībī in '*al-I'tisām*' (1/50).

So Al-'Anbarī makes the rulers who have replaced the laws of *Islām* and abolished the clear laws from the *Sharī'ah* and forced the people to obey them rather than Allāh to be

⁸⁷ "*Al-Fatāwa*", Vol.

⁸⁸ Narrated by At-Tirmithī, and it is his phrasing, also Abū Dāwūd and Ibn Mājah and Al-Albānī authenticated it in "*Sahīh Sunan Abī Dāwūd*" and "*Sahīh Sunan Ibn Mājah*" and elsewhere.

⁸⁹ "*Fatāwa Al-Imām Muhammad Ibn Ibrāhīm Āl Ash-Shaykh*", Vol. 12/280

equal to the innovators and claims that if we say that the first one is a *Kāfir*, then we must say that the innovator is also a *Kāfir* by necessity. Do these words seem like they have come from one who is knowledgeable of the *Dīn* of Allāh and what is *Kufr Al-Akbar* and how *Takfīr* is performed? Surely not. Although we do agree with the above words about the innovator legislating in the *Dīn* what Allāh did not allow. What Al-‘Anbarī has quoted from Ash-Shātībī is quite correct and we also say this, however we differentiate between this type of legislation and the type wherein the laws of *Islām* themselves are actually replaced. Take for example the innovator who begins to call to certain actions, which are *Bid’ah*. Can we say that this individual has replaced any of the laws of *Islām*? Can we say that he has abolished the *Hukm* of Allāh in the land and enforced his own *Hukm*? Can we say that this one has forced the obedience of a nation to himself and made his own opinions and desires to be a reference for the people to settle their disputes? Of course not. Yet we do confirm that the innovator has legislated in the *Dīn* what Allāh did not give him permission for. As Ibn Taymiyyah said, “His *Ta’āla*’s saying:

أَمْ لَهُمْ شُرَكَاءُ شَرَعُوا لَهُمْ مِنَ الدِّينِ مَا لَمْ يَأْتِنِ بِهِ اللَّهُ وَلَوْلاَ كَلِمَةُ الْفَصْلِ لَفُتِنُوا بِهِمْ وَإِنَّ الظَّالِمِينَ لَهُمْ عَذَابٌ أَلِيمٌ

Or have they partners with Allāh (false gods), who have instituted for them a religion, which Allāh has not allowed. And had it not been for a decisive Word (gone forth already), the matter would have been judged between them. And verily, for the *Zālimūn* (polytheists and wrong-doers), there is a painful torment. ⁹⁰

‘Whoever identifies something specific, which is used to become closer to Allāh, or makes it *Wājib* with his sayings or actions, while Allāh did not legislate it, then he has legislated in the *Dīn*, that which Allāh did not give permission for. And whoever follows him in that, then he has taken him as a partner with Allāh who has legislated for him in the *Dīn* that which Allāh did not give permission for.” ⁹¹

Nevertheless, the *Asl* (i.e. basis) of the matter of the innovator is that his act is from the *Kabā’ir* for his legislation and this is different than the case of the *Hākim* whose removal the laws of the *Sharī’ah* and replacing them with his own fabricated laws is at the level of *Kufr Al-Akbar*.

And Muhammad Al-Amīn Ash-Shanqītī said, “Associating with Allāh in His *Hukm* is like associating with Him in his worship and there is no difference between them at all, so the one who follows an institution other than the institution of Allāh, or other than that which Allāh legislated and a law which opposes the legislation of Allāh from that which has been fabricated by human beings, turning away from the light of the heavens that

⁹⁰ *Ash-Shūra*, 21

⁹¹ “*Iqtidhā’ As-Sirāt Al-Mustaqīm*”, Pg. 267 – published by “*Al-Madanī*” And this is an example of what we mentioned earlier where a particular issue is included under the heading of a particular verse because it applies in one sense and yet the general *Hukm* in that *Āyah* (i.e. *Shirk Al-Akbar*) is not held upon that particular matter. So we say that this verse indicates that those who commit and call to *Bid’ah* have legislated in the *Dīn* but we do not say that the *Asl* (i.e. basis) of *Bid’ah* is *Shirk Al-Akbar*.

Allāh revealed upon His Messenger. Whoever does this and whoever worships an idol or prostrates to a statue; there is no difference between them at all from any point of view. They are both one thing and they are both *Mushriks* with Allāh. This one associated with Allāh in His *Hukm* and they are both the same.”⁹²

If Allāh had affirmed the negation of *Īmān* for the act *Bid'ah*, then Al-'Anbarī's point would be valid; however, Allāh has said the following with regards to those who use any other system than His, *Ta'āla* for judgement:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا

But no, by your Lord, they can have no Faith, until they make you (O Muhammad SAW) judge in all disputes between them, and find in themselves no resistance against your decisions, and accept (them) with full submission. (An-Nisā', 65)

And

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*. (Al-Mā'idah, 44)⁹³

But what do we have to indicate that the one, who practices *Bid'ah*, has nullified his *Īmān*?

From Jābir Ibn 'Abdillāh may Allāh be Pleased with him, that the Prophet صلى الله عليه وسلم said, “The worst of affairs are the innovations and every innovation is a *Bid'ah* and every *Bid'ah* is a misguidance and every misguidance is in the Fire.”⁹⁴

And also from 'Ā'ishah, may Allāh be pleased with her, that the Prophet صلى الله عليه وسلم said, ((Whoever innovates in this matter of ours that which is not from it then it is rejected.))⁹⁵

And in a narration: ((Whoever performs an action which our matter is not upon then it is rejected.))⁹⁶

⁹² From the cassettes of the *Shaykh* in his *Tafsīr* of *Sūrat At-Tawbah* at Allāh *Ta'āla*'s saying:

اتَّخَذُوا أَحْبَارَهُمْ وَرُهَبَانَهُمْ أَرْبَابًا مِنْ دُونِ اللَّهِ

They (Jews and Christians) took their rabbis and their monks to be their lords besides Allāh ...

⁹³ This *Āyah* has many misconceptions which will be clarified shortly, *Inshā' Allāh*.

⁹⁴ Narrated by An-Nasā'ī and also, by Al-Bukhārī, Muslim, Abū Dāwūd, Ibn Mājah, Ahmad and Ad-Dārimī with shorter versions; some only mentioning the first part, and some mentioning more but in different order.

⁹⁵ Narrated by Al-Bukhārī, Muslim, Abū Dāwūd, Ibn Mājah and Ahmad

⁹⁶ Narrated by Muslim and Ahmad

And like this are many of the strong condemnations of *Bid'ah* in any of its forms. And this is certainly a serious matter and *Bid'ah* certainly leads to *Nifāq* and *Kufr*⁹⁷ but we do not see this act being described in the *Sharī'ah* as *Kufr*, which causes one to leave the realm of *Islām* and we do not call this act, in and of itself, *Kufr Al-Akbar*. But we do call 'Ruling by Other Than What Allāh Revealed' *Kufr Al-Akbar* in the sense that the *Hākim* has replaced the clear laws of the *Islāmic Sharī'ah* with his own fabricated laws. And this is the difference between the two.

And in the remainder of his article, Al-'Anbarī attempts to show how there are many things, which are the right of Allāh alone just as legislating is His right alone. And he tries to make *Qiyās* between many of those things, which are not *Kufr Al-Akbar* such as the image-maker and the one who lowers his garment in pride etc. and the one who 'Rules by Other Than What Allāh Revealed'. Yet this *Qiyās* is *Bātil* (i.e. false) because Allāh, 'Azza Wa Jall has affirmed the negation of *Īmān* for those who competes with Him in His Legislation, while He, *Ta'āla* did not negate the *Īmān* from those who attempt to resemble His unique characteristics in these other matters. So the two things cannot be equal no matter how much www.salafipublications.com and Al-'Anbarī try to make them so.

Using the Other Fatāwa as Proof

In "The 'Anbari Papers: Part 3" www.salafipublications.com and Al-'Anbarī bring the several *Fatāwa* from *Shaykh* Ibn Bāz, may Allāh be merciful to him, as well as some others which state that 'Ruling by Other Than What Allāh Revealed' is only *Kufr* if the ruler considers his ruling to be *Halāl* or superior or equal to the *Sharī'ah* of *Islām* etc. And we see that there is very little evidence in these *Fatāwa* to support the correctness of their verdicts. For the most part, there are simply the words of a noble *Shaykh*; however, they do not really contain evidence from the *Qur'ān* or the *Sunnah* or even the Arabic language. And so we say about these *Fatāwa* and the opinion of *Shaykh* Ibn Bāz, may Allāh be merciful to him, the very same thing that he responded with, when questioned about the *Fatāwa* of *Shaykh* Muhammad Ibn Ibrāhīm, Āl Ash-Shaykh, may Allāh be pleased with him. *Shaykh* Ibn Bāz said:

Muhammad bin Ibrahim is not infallible (ma'sūm), he is but a scholar from amongst the scholars, he is sometimes correct and sometimes in error and he is not a Prophet nor a Messenger. Likewise, Shaikh ul-Islām Ibn Taymiyyah, Ibn al-Qayyim, Ibn Kathir and other scholars. All of them are sometimes correct and they sometimes err. But only what conforms to the truth is taken from their statements and as for what opposes the truth, then it is rejected from the one who said it."

⁹⁷ As *Shaykh Al-Islām* explained in "*Iqtidhā' As-Sirāt Al-Mustaqīm*"

And we have quoted this statement from the noble *Shaykh* from the very same article, "The 'Anbarī Papers: Part 3".⁹⁸ So what we see from these words of the noble *Shaykh*, may Allāh be merciful with him, is that the evidence from the *Qur'ān* and the *Sunnah* is what should be adhered to and not the various *Fatāwa* from the 'Ulamā'. And this is because every single person after the Messenger of Allāh is capable of making mistakes and should not be blindly followed without strong evidence from the texts of the *Sharī'ah*. So we should investigate what little evidence the *Shaykh*, Ibn Bāz used to derive his verdict in this matter before accepting it wholesale. And in doing so, we will be following his very advise which we have quoted above.

The first *Fatwā*, which Al-'Anbarī narrated from *Shaykh* Ibn Bāz, said:

"...So he (i.e. Al-Albānī) replied to it with a word of truth, and has arrived at the truth in it, and has travelled upon the path of the believers by it and has made manifestly clear - may Allāh grant him success - that it is not permissible for anyone amongst the people to declare the one who judged by other than what Allāh has revealed - a disbeliever - merely on account of an action, **without his knowledge that this person declared such an act to be permissible with his heart (istahalla Thālika biqalbihi)**. And he used evidence for that what has come from Ibn Abbās (ra) and others from among the Salaf."

And the verse, which *Shaykh* Ibn Bāz was referring to, was:

وَمَنْ لَمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn* (*Al-Mā'idah*, 44)

A discussion about the *Tafsīr* of Sūrat Al-Mā'idah: 44 and the statements of Ibn 'Abbās and other than him from the *Salaf*, may Allāh be pleased to them all.

The most common narration quoted from Ibn 'Abbās, which is used by those who conclude that this *Āyah* indicates *Kufr Al-Asghar*, is the following, which can be found in many of the books of *Tafsīr* and *Hadīth* in reference to this *Āyah*:

The Narrations of Ibn 'Abbās, may Allāh be pleased with him⁹⁹

وقد أخرج الحاكم (313/2) من طريق هشام بن حجير عن طاووس قال : قال ابن عباس رضي الله عنهما - : "إنه ليس بالكفر الذي يذهبون إليه إنه ليس كفراً ينقل عن الملة ومن لم يحكم بما أنزل الله فأولئك هم الكافرون كفر دون كفر" .

⁹⁸ Article no. MNJ050011

⁹⁹ Much of the research of the narrations from Ibn 'Abbās and Ibn Mas'ūd, may Allāh be pleased with them both, in this section come from the *Risālah*: "*Waqafāt Ma' Ash-Shaykh Al-Albānī Hawlah Sharīf Min Minhāj Al-Khawārij*" of *Shaykh* 'Abdul-Ākhir Hammād

1. Narrated by Al-Hākim, from the path of Hishām Ibn Hujayr from Tāwūs who said, "Ibn 'Abbās, may Allāh be pleased with him, said, "It is not the *Kufr* you are taking it to. It is not *Kufr*, which takes one outside the *Millah* (i.e. the realm of Islām). **"And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*."** It is *Kufr Dūna Kufr* (i.e. *Kufr* less than *Kufr*)."¹⁰⁰

وأخرجه أيضاً ابن أبي حاتم كما في تفسير ابن كثير (62/2) من طريق هشام بن حجير عن طاووس عن ابن عباس في قوله {ومن لم يحكم بما أنزل الله فأولئك هم الكافرون} قال: "ليس بالكفر الذي يذهبون إليه".

2. Also, it was narrated by Ibn Abī Hātim as mentioned by Ibn Kathīr, from the path of Hishām Ibn Hujayr from Tāwūs from Ibn 'Abbās about Allāh's saying: **"And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*."** He (i.e. Ibn Abbās said, "It is not the *Kufr* you are taking it to."¹⁰¹

Authenticity

And the truth of the matter is that Hishām Ibn Hujayr has been declared *Dha'īf* by Ahmad and Yahya Ibn Ma'in and others.¹⁰² And Ibn 'Adī mentioned him among the *Dha'īf* narrators.¹⁰³ And Al-'Uqaylī said about him¹⁰⁴ as well as Abū Hātim, "His *Hadīth* should be written (i.e. indicating that they did not accept from Hishām Ibn Hujayr unless his *Hadīth* were recorded elsewhere.)"¹⁰⁵

So clearly these two narrations cannot be used as evidence due to their obvious weakness.¹⁰⁶ And they cannot give this *Āyah* meaning, which would indicate that the *Kufr* mentioned is anything less than the clear *Kufr Al-Akbar*.

¹⁰⁰ "*Mustadrak Al-Hākim*", Vol. 2/313 Al-Hākim said, "This is a *Hadīth* whose chain is *Sahīh*." And also, *Shaykh* Nāsir Ad-Dīn Al-Albānī approved of this narration. However, as the reader will soon see, it is quite weak indeed.

¹⁰¹ "*Tafsīr Al-Qur'ān Al-'Athīm*", Vol.2/62

¹⁰² Look to "*Tahthīb At-Tahthīb*", Vol. 6/25

¹⁰³ Look to "*Al-Kamāl Fī Dhu'afā' Ar-Rijāl*", Vol. 7/2569

¹⁰⁴ "*Adh-Du'afā' Al-Kabīr*", Vol. 4/238

¹⁰⁵ "*Tahthīb At-Tahthīb*", Vol. 6/25

¹⁰⁶ Some might ask, "Then why did Al-Hākim say it was *Sahīh* and why did Ath-Thahabī agree with him and why did *Shaykh* Al-Albānī, may Allāh be pleased with him, classify it as, "...*Sahīh* upon the conditions of 'the two *Shaykhs*' (i.e. Bukhārī and Muslim)?" The reason – and Allāh knows best – is that Hishām Ibn Hujayr was actually narrated from by Al-Bukhārī and Muslim. However, he was replaced in their chains by another person in what *Imām* Muslim narrated through him as well as *Imām* Al-Bukhārī. For example, we find Hishām in only one narration from Al-Bukhārī in the *Hadīth* of the Prophet Sulaymān Ibn Dāwūd صلى الله عليه وسلم, "This night I will go with ninety-nine women..." which is in the Book of Expiation of Oaths. (#6,720) This narration of the *Hadīth* includes Hishām but we find that he was replaced in another narration of this same *Hadīth* by 'Abdullāh Ibn Tāwūs in the Book of Marriage. (#5,224) And likewise with *Imām* Muslim; he only has two *Ahādīth*, which contain him in their *Sanad* and he does not narrate them except

وأخرج ابن جرير (12063) من طريق علي بن أبي طلحة عن ابن عباس قال: " من جحد ما أنزل الله فقد كفر ومن أقر به ولم يحكم فهو ظالم فاسق."

3. Also, Ibn Jarīr narrated saying: "Al-Muthannā narrated to me saying: 'Abdullāh Ibn Sālih narrated to us who said: Mu'āwiyah Ibn Sālih narrated to me from 'Alī Ibn Abī Talhah from Ibn 'Abbās his saying: **And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*** "Whoever makes *Juhūd* (i.e. rejects) what Allāh Revealed has disbelieved and whoever accepts of it but does not rule (by it), then he is a *Thālim/Fāsiq*." ¹⁰⁷

And this is another narration from Ibn 'Abbās, which is used to show that the *Kufr* in the aforementioned *Āyah* is *Kufr Al-Asghar*. And it is also one of the reasons why they say that the ruler who does not make his 'Ruling by Other Than What Allāh Revealed' to be *Halāl* and who does not reject what Allāh revealed clearly upon his tongue, does not disbelieve.

Authenticity

However, again, this narration is *Dha'if* because it is *Munqati'* (i.e. cut off). And this is because 'Alī Ibn Abī Talhah did not hear from Ibn 'Abbās as it has been mentioned in "*Tahthīb At-Tahthīb*". ¹⁰⁸

that another man has replaced Hishām in a different narration of the same *Hadīth*. The first narration was the exact same *Sanad* and phrasing as what has come from Hishām in the *Hadīth* of the Prophet Sulaymān *صلى الله عليه وسلم* (#1,654) and we see that Hishām is replaced in the very next narration by 'Abdullāh Ibn Tāwūs just as he was in the alternate narration by *Imām* Al-Bukhārī. (same *Hadīth* number as per *Imām* Muslim's format) And the second narration with Hishām was what has reached us from Ibn Abbās who said, "Mu'āwiyah said to me, 'Did you know that I cut (the hair) from the head of the Messenger of Allāh *صلى الله عليه وسلم* at *Al-Marwah* with scissors?" So I said to him, 'This is an argument in our favour..." (#1,246) And again, Hishām is replaced in this *Sanad* by Al-Hasan Ibn Muslim in the narration which follows it (same *Hadīth* number as per *Imām* Muslim's format) And for a greater discussion on this matter, look to the words of *Shaykh* Al-Harawī in "*Khulāsat Al-Qawl Al-Mufhim 'Alā Tarājim Rijāl Al-Imām Muslim*." So it is apparent that *Shaykh* Al-Albānī and Al-Hākim saw the name of Hishām in these chains but did not consider him *Dha'if* because they saw that both Muslim and Al-Bukhārī narrated from him. Yet this is not a certain method of ascertaining whether the narrators are all *Sahīh* as it is clear that Al-Bukhārī and Muslim only narrated from Hishām in those cases where they found other evidence to support what came through him. (And it is known that Al-Hākim would sometimes even call his *Hadīth*, "*Sahīh* upon the conditions of 'the two *Shaykhs*,'" by merely checking if the names of those men were narrated from by the two *Shaykhs*, without investigating whether the men whom he is narrating from, even met one another.) And this fact is sufficient to demonstrate that the two *Shaykhs* considered him *Dha'if*. And what makes this even clearer is that Ibn Hajar is known to defend the narrators which Al-Bukhārī narrated from who have been criticized by other scholars of *Hadīth* throughout "*Fat'h Al-Bārī*" and he brings evidence to strengthen their *Tawthīq* (i.e. reliability) however, we do not find him defending Hishām at all and this is further evidence of his weakness.

¹⁰⁷ "*Tafsīr At-Tabarī*", Vol. 10/355; *Hadīth* #12,063

¹⁰⁸ Vol. 4/213-214

أخرج ابن جرير (12053) حدثنا هناد قال حدثنا وكيع وحدثنا ابن وكيع قال حدثنا أبي عن سفيان عن معمر بن راشد عن ابن طاووس عن أبيه عن ابن عباس { ومن لم يحكم بما أنزل الله فأولئك هم الكافرون } قال: " هي به كفر وليس كفراً بالله وملائكته وكتبه ورسله . "

4. Also, Ibn Jarīr reported, "Hunād narrated to me, who said Wakī' narrated to me; and Ibn Wakī' narrated to me who said, 'My father narrated to me, from Sufyān from Mu'ammār Ibn Rashād from Ibn Tāwūs from his father from Ibn 'Abbās, **"And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*."** It is *Kufr* in him, but not *Kufr* in Allāh and His Angels and His Books and His Messengers." ¹⁰⁹

Authenticity

This narration's *Sanad* (i.e. chain) is *Sahīh*. Its men are from the Six Books ¹¹⁰ except for Hunād and Ibn Wakī'. As for Hunād, he is As-Sirrī the *Hāfīth*, the *Imām*, and the group (i.e. the six main collectors) narrated from him – all except for Bukhārī. ¹¹¹ And as for Ibn Wakī', he is Sufyān Ibn Wakī' Ibn Al-Jarrāh. *Al-Hāfīth* Ibn Hajar said about him, "He was a truthful person except that he was tested through his scrolls (i.e. his transcribed chains of *Hadīth*). So he had entered upon them, what was not from his *Hadīth* (i.e. mistakes and errors). So they were not accepted and his *Hadīth* fell." ¹¹²

And this is not too important here because Hunād takes his place in the same narration here as well. ¹¹³ And here we will pause in our commentary to bring some more from Ibn 'Abbās and will return to this narration, *Inshā-Allāh*.

خرج وكيع في أخبار القضاة (41/1): حدثنا الحسن بن أبي الربيع الجرجاني قال أخبرنا عبدالرزاق عن معمر عن ابن طاووس عن أبيه قال: " سئل ابن عباس عن قوله { ومن لم يحكم بما أنزل الله فأولئك هم الكافرون } قال: كفى به كفره."

5. Wakī' said "Al-Hasan Ibn Abī Ar-Rabī' Al-Jarjānī narrated to me saying 'I was informed by 'Abdur-Razzāq from Mu'ammār from Ibn Tāwūs from his father

¹⁰⁹ "Tafsīr At-Tabarī", Vol.10/355; *Hadīth* #12,053

¹¹⁰ i.e. Al-Bukhārī, Muslim, An-Nasā'ī, At-Tirmithī, Abū Dāwūd, and Ibn Mājah

¹¹¹ Look to "Tathkirat Al-Huffāth", Vol. 2/507

¹¹² "At-Taqrīb", Vol. 1/312

¹¹³ This narration from Ibn Jarīr actually contains two chains:

The first:

Ibn 'Abbās - Tāwūs - Ibn Tāwūs - Mu'ammār Ibn Rashād - Sufyān - Wakī' - Hunād - Ibn Jarīr (And this one is *Sahīh*)

The second:

Ibn Abbās - Tāwūs - Ibn Tāwūs - Mu'ammār Ibn Rashād - Sufyān - Wakī' - Ibn Wakī' - Ibn Jarīr (And this one is *Dha'īf* due to Ibn Wakī')

who said, 'Ibn 'Abbās was asked about His saying: **"And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*."** He said, 'This is sufficient for his *Kufr*.'¹¹⁴

وبنفس إسناده وكيع أخرجه ابن جرير (12055) لكن بلفظ: " هي به كفر ، قال ابن طاووس : وليس كمن كفر بالله وملأنته وكتبه ."

6. And with the same *Sanad* as Wakī', Ibn Jarīr has reported saying: Al-Hasan Ibn Yahya said: 'Abdur-Razzāq informed us who said: Mu'ammār informed us from Ibn Tāwūs from his father who said: Ibn 'Abbās was asked about His Saying: **"And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*"** He said: "It is *Kufr* in him." Ibn Tāwūs added: 'And not like the one who disbelieves in Allāh and His Angels and His Books and His Messengers.'¹¹⁵

Authenticity

These two narrations with this *Sanad* to Ibn 'Abbās, may Allāh be pleased with him. Its men are all man of the *Sahīh* (i.e. in Al-Bukhārī and Muslim), except for the *Shaykh* of Wakī', Al-Hasan Ibn Abī Al-Jarjānī and he is Ibn Al-Ja'd Al-Abdī. Ibn Abī Hātim said, 'I heard from him with my father and he is a truthful person.' And Ibn Hibbān mentioned him in "*Ath-Thuqāt*"¹¹⁶ and *Al-Hāfīth* Ibn Hajar said, "He is truthful."¹¹⁷

رواه عبد الرزاق في تفسيره عن معمر عن ابن طاووس عن أبيه قال سئل ابن عباس عن قوله تعالى: (وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ (44)) قال هي كفر

7. 'Abdur-Razzāq narrated in his *Tafsīr* from Mu'ammār from Ibn Tāwūs from his father that Ibn 'Abbās was asked about His, the Most High's saying: **"And whosoever does not judge by what Allah has revealed, such are the *Kāfirūn*."** He (i.e. Ibn 'Abbās) said: "It is *Kufr*."¹¹⁸

Authenticity

And this narration is *Sahīh* from Ibn 'Abbās with this chain as the *Shaykh*, Sulaymān Ibn Nāsir Al-'Ulwān mentioned.¹¹⁹

¹¹⁴ "*Akhbār Al-Qudhāt*", Vol. 1/41

¹¹⁵ "*Tafsīr At-Tabarī*", Vol.10/355; *Hadīth* #12,055

¹¹⁶ Look to "*Tahthīb At-Tahthīb*", Vol. 1/515

¹¹⁷ "*At-Taqrīb*", Vol. 1/505,

¹¹⁸ Vol. 1/191

¹¹⁹ Look to "*At-Tibyān Fī Sharh Nawāqith Al-Islām*", pg. 31; footnote #1 and "*Alā Inna Nasr Allāhi Qarīb*", pg. 9

Additional Statements From Other Than Ibn ‘Abbās, may Allāh be merciful to him, or From Other Than the Sahābah

So what seems clear after separating the weak narrations from the authentic ones, regarding the *Tafsīr* of Ibn ‘Abbās, may Allāh be pleased with him, that Ibn ‘Abbās held the meaning of the *Āyah*:

وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

“And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*.”

...to be *Kufr Al-Akbar*, and this is clear from his saying, “This is sufficient for his *Kufr*.” And what is apparent is that these additional statements, which appear to lower the level of *Kufr* in the above *Āyah* to *Kufr Al-Asghar*, are in fact from other than Ibn ‘Abbās.

For example:

1. From ‘Atā’ Ibn Abī Rabāh about the three verses, “*Kufr Dūna Kufr, Fisq Dūna Fisq, Thulm Dūna Thulm*.”¹²⁰
2. And from Sa’īd Al-Makkī from Tāwūs about the verse, “It is not the *Kufr* that removes one from the realm (i.e. of *Islām*).”¹²¹
3. And Ibn Jarīr narrated from Ibn ‘Abbās with a *Sahīh Sanad*, “Narrated to us Al-Hasan Ibn Yahya who said, ‘We were informed by ‘Abdur-Razzāq who said, ‘We were informed by Mu’ammār from Ibn Tāwūs from his father who said, ‘Ibn ‘Abbās was asked about His, *Ta’āla*’s saying: **“And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*.”** He said, ‘In it (i.e. the *Āyah*) is *Kufr*.” Ibn Tāwūs said, ‘And it is not like the one who disbelieves in Allāh and his Angels and His Books and His Messengers.”¹²²

So we can see in this last narration that Ibn ‘Abbās held the meaning of the *Āyah* upon *Kufr* with his saying, “It is *Kufr* in him.” And there is nothing else from him to indicate that the *Kufr* he mentioned was anything less than *Kufr Al-Akbar*. And then it was Ibn Tāwūs who added his comments to indicate that the *Kufr* was only *Kufr Al-Asghar*.

But as it is known, if a *Sahābī* is known to have a specific interpretation for a verse and this contradicts the interpretation of a *Tābi’ī* or even the later generations, then the interpretation of other than the *Sahābī* is not considered. As Ibn Taymiyyah narrated: “Shu’abah Ibn Al-Hajjaj and others said, ‘The sayings of the *Tābi’īn* in the *Furū* (i.e. jurisprudence-related matters) are not a *Hujjah* (proof) so how could they be a *Hujjah* (proof) in the *Tafsīr*?’ meaning that they are not a proof upon other than them from those who contradicted them, and this is correct. But if they form consensus (*Ijmā’*) upon

¹²⁰ “*Tafsīr At-Tabarī*”, Vol.10/355; *Hadīth* #12048-12051

¹²¹ “*Tafsīr At-Tabarī*”, Vol.10/355; *Hadīth* #12052

¹²² Also narrated by Ibn Kathīr in “*At-Tafsīr*” Vol. 2/63-64

something there is no doubt that it is a proof. But if they differ, then the saying of some of them would not be a *Hujjah* (proof) upon the others from them nor upon those after them. And that returns to what the language of the *Qur'ān* or the *Sunnah* or the generality of the language of the Arabs or the sayings of the *Sahābah* concerning that.”¹²³

Returning to: “...but not Kufr in Allāh and His Angels and His Books and His Messengers.”

So we return to the earlier narration in which Ibn ‘Abbās is authentically reported to say, “It is *Kufr* in him, but not *Kufr* in Allāh and His Angels and His Books and His Messengers.” And since we do not see this additional phrase from Ibn ‘Abbās in the narration of Wakī’, in which Ibn ‘Abbās was authentically reported to say, “This is sufficient for his *Kufr*,” then it is evident that this additional phrase came from other than Ibn ‘Abbās, just as the narration in which Ibn ‘Abbās said, “It is *Kufr* in him,” and Ibn Tāwūs added, “And it is not like the one who disbelieves in Allāh and his Angels and His Books and His Messengers.” (Look to narration #6) This is one possibility of reconciling the authentic narrations from Ibn ‘Abbās, may Allāh be pleased with him, and it seems likely when we examine all the narrations from Ibn ‘Abbās in their entirety. And it is not uncommon that a narrator will sometimes mistakenly attribute a statement to the one who spoke the *Hadīth* while in fact this statement actually came from another person in the chain of narration.

And the *Shaykh* ‘Abdul-Ākhir Hammād said, “And the outcome is that this additional phrasing has come attributed to (Ibn) Tāwūs in the narration of ‘Abdur-Razzāq, while it has come attributed to Ibn ‘Abbās in the narration of Sufyān Ath-Thawrī, which could create the opinion that it is not from the words of Ibn ‘Abbās, rather it has come added in the narration of Sufyān and this is possible, especially when Wakī’ narrated the narration in “*Akhbār Al-Qudhāt*” without this additional phrasing as it has passed, but it is not possible to be certain of that as it is (also) possible that this additional phrasing is confirmed from the saying of both Ibn ‘Abbās and Ibn Tāwūs and it is the more likely and Allāh knows best.”¹²⁴

Or there is another possibility. It might mean that this statement was actually from Ibn ‘Abbās as it appears but was intended to show that the *Kufr* of the one who ‘Rules by Other Than What Allāh Revealed’ is less severe than the *Kufr* of the one who disbelieves in Allāh and His Angels and His Books and His Messengers. And this would be another way to reconcile the authentic narrations of Ibn ‘Abbās, may Allāh be pleased with him. So just as the *Kufr* of the one who curses at Allāh is not equal to the one who disbelieves in one of the Prophets sent by Allāh. And it is known from common sense that the *Kufr* of Abū Tālib is far less severe than the *Kufr* of Pharaoh, may Allāh curse him, who Allāh Mentioned about him:

¹²³ “*Mujmū’ Al-Fatāwa*”, Vol. 13/369-370

¹²⁴ “*Waqfāt Ma’ Ash-Shaykh Al-Albānī Hawlah Sharīṭ Min Minhāj Al-Khawārij*”, pg. 15

فَكَذَّبَ وَعَصَى. ثُمَّ أَدْبَرَ يَسْعَى. فَحَشَرَ فَنَادَى. فَقَالَ أَنَا رَبُّكُمُ الْأَعْلَى

“But [Fir'aun (Pharaoh)] belied and disobeyed; Then he turned his back, striving hard (against Allāh). Then he gathered his people and cried aloud, saying: ‘I am your lord, most high.’”¹²⁵

And Allāh, *Ta'āla* said:

النَّارُ يُعْرَضُونَ عَلَيْهَا غُدُوًّا وَعَشِيًّا وَيَوْمَ تَقُومُ السَّاعَةُ أَدْخِلُوا آلَ فِرْعَوْنَ أَشَدَّ الْعَذَابِ

“The Fire; they are exposed to it, morning and afternoon, and on the Day when the Hour will be established (it will be said to the angels): ‘Cause Fir'aun's (Pharaoh) people to enter the severest torment!’”¹²⁶

And ‘Abbās Ibn ‘Abdul-Muttalib said, “O Messenger of Allāh, did you benefit Abū Tālib with anything as he used to protect and take care of you, and used to become angry on your behalf?” The Prophet said, ((Yes, he is in a shallow place of Fire. If it was not for me he would have been in the lowest part of the Fire.))¹²⁷

So the *Kufr* of Abū Tālib is *Kufr Al-Akbar* and he had no *Īmān* because he refused to utter the *Shahādatayn* (i.e. the two testimonies) and the *Kufr* of Pharaoh was *Kufr Al-Akbar* because of his refusal to submit to the Prophet who was sent to him and his claim to be Allāh etc. However, even though the *Kufr* of both of them is *Al-Akbar*, and both of them will remain in the Hell-Fire eternally, the severity of the *Kufr* of Pharaoh is not equal to that of Abū Tālib. And it is possible that, even if the additional statement attributed in the aforementioned narration from Ibn ‘Abbās was truly from him, his words quite possibly could take this meaning.

And regarding the statements of Ibn ‘Abbās in this matter, *Shaykh* Sulaymān Ibn Nāsir Ibn ‘Abdillāh Al-‘Ulwān, may Allāh free him said, “What has reached us from Ibn ‘Abbās from his saying, “*Kufr Dūna Kufr*” is not reliable. It is narrated by Al-Hākim in his “*Mustadrak*” (Vol. 2/313) by the way of Hishām Ibn Hujayr on the authority of Tāwūs who heard it from Ibn ‘Abbās. However, Hishām is declared *Dha’īf* by Yahya Ibn Ma’īn and *Imām* Ahmad Ibn Hanbal. On the other hand it is narrated to us from ‘Abdur-Razzāq in his *Tafsīr* on the authority of Mu’ammār who heard from Ibn Tāwūs that his father said he asked Ibn ‘Abbās about Allāh’s saying, “**And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*...**” Ibn ‘Abbās said: “It is *Kufr*,” and this is what is preserved from Ibn ‘Abbās showing that there is no doubt about this *Āyah*, and proving that what is meant by this disbelief is *Kufr Al-Akbar*. So how can some claim *Islām* when they put aside and substitute the *Sharī’ah*, and make alliances with the Jews and Christians and imitate them?! As for what is narrated by Ibn Jarīr in his *Tafsīr* on the authority of Ibn ‘Abbās who said, ‘...it is not like the one who disbelieves in Allāh and

¹²⁵ *An-Nāzi’āt*, 21-24

¹²⁶ *Ghāfir*, 46

¹²⁷ Narrated by Al-Bukhārī, Muslim and Ahmad.

the last day,' what is meant here does not mean that 'Ruling by Other Than What Allāh Revealed' is *Kufr Dūna Kufr*. Whoever says it does mean this, then it is upon him to bring his proof and evidence to substantiate his allegation. It is clear from Ibn 'Abbās' words that *Kufr Al-Akbar* is of different classifications, and some forms are more severe than others. For example, the *Kufr* of the one who doesn't believe in Allāh and the Last Day, is more extreme than the *Hākim* who doesn't rule by what Allāh revealed. It is clear that the *Kufr* of the *Hākim* who 'Rules by Other Than What Allāh Revealed' is less severe than the one who doesn't even believe in Allāh and the Last Day. Still, we cannot say that this *Hākim* remains a Muslim and that his ruling is simply *Kufr Al-Asghar*. We say he has left the religion because of his putting aside and removal of the *Sharī'ah*, and according to Ibn Kathīr, there is *Ijmā'* about this. (See "*Al-Bidāyah Wan-Nihāyah*", Vol. 13/119)" ¹²⁸

The Narrations of Ibn Mas'ūd, may Allāh be pleased with him

أخرج ابن جرير في تفسيره (12061): حدثني يعقوب بن إبراهيم قال حدثنا هشيم قال أخبرنا عبد الملك بن أبي سليمان عن سلمة بن كهيل عن علقمة ومسروق "أنهما سألا ابن مسعود عن الرشوة فقال: من السحت. قال فقالا: أفي الحكم؟ قال: ذاك الكفر. ثم تلا هذه الآية {ومن لم يحكم بما أنزل الله فأولئك هم الكافرون}."

1. We find in the same section we've been quoting from, in Ibn Jarīr's *Tafsīr*: "I was informed by Ya'qūb Ibn Ibrāhīm who said, 'I was informed by Hushaym who said, 'I was informed by 'Abdul-Malik Ibn Abī Sulaym from Salamah Ibn Kuhayl from 'Alqamah and Masrūq that they asked Ibn Mas'ūd about bribery and he said, 'It is from the unlawful trade.' So they said, 'And in the *Hukm*?' He (i.e. Ibn Mas'ūd) said, 'That is the *Kufr*!' And then he recited: '**And whosoever does not judge by what Allāh has revealed, such are the Kāfirūn.**'"

So we see that Ibn Mas'ūd held the meaning of the *Āyah* upon *Kufr Al-Akbar*.

Authenticity

This narration is *Sahīh*. Its men are trustworthy and they are men from "The Six Books". ¹²⁹

وأخرج الطبراني في الكبير (226/9) (9100) عن أبي الأحوص عن ابن مسعود قال: "الرشوة في الحكم الكفر وهي بين الناس سحت"

2. And also from him as narrated from At-Tabarānī in "*Al-Kabīr*" Vol. 9/226 *Hadīth* #9,100 from Abī Al-Ahwas from Ibn Mas'ūd that he said, "The bribery in the *Hukm* is *Kufr* and between the people it is unlawful."

¹²⁸ "*At-Tibyān Sharh Nawāqith Al-Islām*" by Muhammad Ibn 'Abdul-Wahhāb; explanation and footnotes by Sulaymān Ibn Nāsir Ibn Abdillāh Al-'Ulwān, Pg. 38

¹²⁹ Look to "*Tahthīb At-Tahthīb*", Vol. 6/240, 6/41-43, 3/497-498 and 2/380.

وأخرجه وكيع في أخبار القضاة (52/1) بلفظ " الهدية على الحكم الكفر وهي فيما بينكم السحت".

3. And Wakī' reported the same narration in "*Akhbār Al-Qudhāt*" (Vol. 1/52) with the phrasing: "Gifts (i.e. for bribery) in the *Hukm* is *Kufr* and amongst yourselves it is unlawfulness."

Authenticity

This narration is *Sahīh*.¹³⁰

وأخرج أبويعلى في مسنده (5266) عن مسروق قال: " كنت جالسا عند عبدالله (يعني ابن مسعود) فقال له رجل : ما السحت ؟ قال : الرشا. فقال : في الحكم ؟ قال: ذاك الكفر ثم قرأ {ومن لم يحكم بما أنزل الله فأولئك هم الكافرون} "

4. And Abū Ya'la narrated in his "*Musnad*" (#5,266) from Masrūq that he said, "I was sitting with 'Abdullāh (meaning Ibn Mas'ūd). Then a man said to him, 'What is 'As-Suht'? He said, 'The bribery.' Then he said, 'In the *Hukm*?' He said, 'That is *Al-Kufr*', then he recited: **'And whosoever does not judge by what Allāh has revealed, such are the Kāfirūn.'**

Authenticity

And Al-Bayhaqī narrated it Vol. 10/139 as well as Wakī' in "*Akhbār Al-Qudhāt*", Vol. 1/52 And Ibn Hajar mentioned it in "*Al-Matālib Al-Āliyah*", Vol. 2/250 and he attributed it to Al-Musaddad and the *Shaykh*, Ḥabīb Ar-Rah'mān Al-A'thamī narrated in his commentary on "*Al-Matālib Al-Āliyah*", the saying of Al-Busayrī: "Musaddad and Abū Ya'la and At-Tabarānī narrated it '*Mawqūf*' with an authentic chain and Al-Hākim and from him Al-Bayhaqī."

And this narration was reported by Al-Haythamī in "*Mujma' Al-Zawā'id* ", Vol. 4/199 and he said, "Abū Ya'la narrated it and I do not know Muhammad Ibn 'Uthmān, the *Shaykh* of Abū Ya'la." And the *Shaykh*, Al-A'thamī said in his commentary on "*Al-Matālib Al-Āliyah* ", Vol. 2/250 answering that which Al-Haythamī said, "Even if Muhammad Ibn 'Uthmān is unknown, then this does not harm because Fatar, his *Shaykh*, was replaced by Shu'abah in Al-Hākim and Al-Bayhaqī and Muhammad Ibn 'Uthmān was replaced by Makkī Ibn Ibrāhīm in Al-Bayhaqī.

So even if we say that it is correct that which came in the "*Musnad* " of Abī Ya'la from his statement: "Muhammad Ibn 'Uthmān narrated to us from 'Umar." Otherwise, the *Shaykh*, Al-A'thamī mentioned in the same place that what is in the "*Musnad* ": "Muhammad narrated to us from 'Uthmān Ibn 'Umar." And the reviewer of "*Musnad Abī Ya'la* " certified that what is correct is: "Muhammad from 'Uthmān Ibn 'Umar," and that

¹³⁰ Ibn Hajar Al-Makkī mentioned it in his book "*Az-Zawājir*", Vol. 2/189 and Al-Haythamī said in "*Mujma' Az-Zawā'id* ", Vol. 4/199: "...and its men are the men of the *Sahīh*."

what came in “*Al-Musnad*” was an error.” Then he said: “And ‘Uthmān Ibn ‘Umar is Al-‘Abdī.”¹³¹ And ‘Uthmān Ibn ‘Umar Al-‘Abdī is trustworthy from the men of the “The Six Books”.¹³²

The Distinction of Ibn Mas’ūd, may Allāh be pleased with him

And this is a good distinction which ‘Abdullāh Ibn Mas’ūd makes where he said, “The bribery in the *Hukm* is *Kufr* and between the people it is unlawful.” And this is similar to the ruling upon the one who ‘Rules by Other Than What Allāh Revealed’ as opposed to the one who conducts his own life by other than what Allāh revealed. Because when the *Hākim* replaces the clear laws of the *Islāmic Sharī’ah* with his own fabricated laws, and governs his people according to these and engages in *At-Tashrī’ Al-‘Ām* (i.e. general legislation) with the laws which oppose the *Hukm* of Allāh, he has committed *Kufr Al-Akbar*, which causes one to leave the realm of *Islām*. And in this sense we hold the meaning of the *Āyah* upon its *Asl* (i.e. basis), which is *Kufr Al-Akbar*. But if this same *Hākim* ruled by what Allāh revealed and governs his people by the *Hukm* of Allāh generally and yet he does not act accordingly with these very laws in his own personal life, he has not committed *Kufr Al-Akbar*, and he has not left the realm of *Islām*.¹³³ And when we reflect about the time in which Ibn Mas’ūd’s words would have been spoken and the time in which Ibn Abbās and his students such as Tāwūs and other than him, it becomes apparent that Ibn Abbās lived in the latter years in which the *Khawārij* were very prevalent under the governorship of *Banī Umayyah*.¹³⁴

So what is clear from what has passed in the *Tafsīr* of this *Āyah* is that their meaning is *Kufr Al-Akbar*; however, if it is held upon the rulers who do not ‘Rule by Other Than What Allāh Revealed’ in the sense that they have not replaced the laws of *Islām* and they do not engage in *At-Tashrī’ Al-‘Ām* with legislation that opposes the *Hukm* of Allāh, then we say the same as some of what has been narrated: “*Kufr Dūna Kufr, Fisq Dūna Fisq*,

¹³¹ Look to “*Musnad Abī Ya’la Al-Musālī*” with the review of Husayn Salīm Asad, Vol. 9/173-174

¹³² “*Taḥthīb At-Taḥthīb*”, Vol. 4/92-93

¹³³ Unless this disobedience reaches *Kufr Al-Akbar* itself, such as abandoning the prayer or practising sorcery or any other actions of clear *Kufr Al-Akbar* etc.

¹³⁴ Ibn Mas’ūd, may Allāh be pleased with him, died in the year 32 H. (which corresponds to 652 Gregorian) whereas Ibn Abbās, may Allāh be pleased with him died in 68 H. (which corresponds to 687 Gregorian). So we see that there were 36 years between the two. And since the Battle of the Plains of *SifFīn*, in which the *Khawārij* broke away from the army of ‘Alī, did not take place until 657 (Gregorian – Look to “*Imām Al-Wafā’*”, Pg. 211-212), it is quite logical that Ibn Abbās and his students and Abū Majlīz and other than them, were faced with the *Khawārij* who did not differentiate between the ruler who himself commits a sin and a ruler who replaces the *Sharī’ah* with his own fabricated laws (which *Banī Umayyah* did not do). And thus, when these members of the *Khawārij* surfaced, much latter than the death of Ibn Mas’ūd, it stands to reason that these statements might come from the *Salaf*. But as we have established, they are not intended to define the *Asl* of the level of *Kufr* in the *Āyah*, rather they are intended to be a refutation against the *Khawārij* who attempted to make *Takfīr* of *Banī Umayyah* as we have proven.

Thulm Dūna Thulm,” and, “It is not the *Kufr* that removes one from the realm (i.e. of *Islām*),” etc.

What is the Ruling When One Sahābī Contradicts Another in the Tafsīr of a Verse?

So although it becomes relatively clear after separating the weak narrations from Ibn ‘Abbās, may Allāh be pleased with him, from the authentic ones and comparing these to the authentic narrations from Ibn Mas‘ūd, may Allāh be pleased with him, that they are consistent in indicating the meaning of the verse as *Kufr Akbar*, what if it were demonstrated that these two companions held the meaning of the verse upon two different and contradictory interpretations? That is, what would be the ruling if it were authentically reported that a particular *Sahābī* held the meaning of this verse to be *Kufr Asghar* (i.e. Ibn ‘Abbās, for instance) whereas another held the meaning of this verse upon *Kufr Akbar* (i.e. Ibn Mas‘ūd, for instance)?

What is agreed upon the scholars, including the four *Imāms*, is that when a *Sahābī* contradicts another with respect to a ruling in a particular instance, whether it is a matter of jurisprudence or *Tafsīr*, or other than what, is that neither saying is considered a proof over the other one and what is selected as the correct ruling in this case is whatever is more consistent with the evidence from the Book and the *Sunnah* etc.

Ibn ‘Abdul-Barr said, “And As-Samtī narrated from Abū Hanīfah that he said, regarding the two (contradictory) statements of the *Sahābah*, ‘One of the two sayings is a mistake and the sin regarding that (i.e. the mistake) is removed.’”¹³⁵

And he also said, “From Mālik that he said, regarding the differences in opinion of the *Sahābah* of the Messenger of Allāh ﷺ, ‘One is mistaken and one is correct, so it is upon you to perform *Ijtihād* (deductive reasoning – i.e. to determine which is correct).”¹³⁶

And Ash-Shāfi’ī was asked, “What do you see regarding the differences in opinion of the *Sahābah* of the Messenger of Allāh?” So he replied, “We go to that from it, which complies with the Book and the *Sunnah* or the *Ijmā’* or is more correct in the *Qiyās* (comparative analogy).”¹³⁷

And Ibn Al-Qayyim said, in his discussion of the fundamentals of *Imām* Ahmad, “The Third Fundamental from his Fundamentals: If the *Sahābah* differ, then he chooses from their sayings whichever of them is closest to the Book and the *Sunnah* and he does not go out from their sayings. Then if the compliance of one of them (i.e. the sayings) is not

¹³⁵ “*Jāmī’ Bayān Al-‘Ilm*”, Vol. 2/83

¹³⁶ “*Jāmī’ Bayān Al-‘Ilm*”, Vol. 2/81

¹³⁷ “*Ar-Risālah*”, with the review of Ahmad Shākir, Pg. 596-597

clarified to him, then he mentions the difference regarding it and does not absolutely declare one of them.”¹³⁸

And *Shaykh Al-Islām*, Ibn Taymiyyah, said, “As for the sayings of the *Sahābah*, then if they are widespread and no objection was made (to that) in their time, then it is a *Hujjah* (proof) according to the scholars collectively. And if they differ then what they differed in is referred back to Allāh and His Messenger and the saying of one of them is not a *Hujjah* (proof), while other than them contradicted it, by the agreement of the scholars.”¹³⁹

And he, may Allāh be merciful to him, also said, “And those from the scholars that said that the saying of a *Sahābī* is a *Hujjah* (proof) they only said that if he is not contradicted by other than him from the *Sahābah* and there is no known text, which contradicts it.” – until he said: “As for if it is known that he contradicted it, then it is no longer a *Hujjah* (proof) by agreement.”¹⁴⁰

Therefore, even if it were established that Ibn ‘Abbās, may Allāh be pleased with him, did in fact hold the meaning of this verse upon *Kufr Asghar*, then this would not be a *Hujjah* as long as it was confirmed that Ibn Mas‘ūd, may Allāh be pleased with him, held it upon *Kufr Akbar*. And in that case, it would be upon the *Mujtahid* to refer both of their sayings to the texts of the *Sharī‘ah*, to determine which is more consistent with the texts, in order to select which saying was the correct one. And as this section demonstrates, the verse is clearly upon its outward meaning (*Thāhir*), which is *Kufr Akbar*, and Allāh knows best.

The Tafsīr as it Relates to Language

And also, what indicates the meaning of the *Asl* of this *Āyah* is upon *Kufr Al-Akbar*, is its linguistic meaning in the Arabic language:

وَمَنْ لَمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

“And whosoever does not judge by what Allāh has revealed, such are the *Kāfirûn*.”

What we see in this *Āyah* is that Allāh prefaced the word: *كَافِرُونَ Kāfirûn* with the two letters: أ (‘*Alif*) and ل (‘*Lam*) which makes the word: *الْكَافِرُونَ (the Kāfirûn)*. And it is known from the rules of the Arabic language that the word *Kufr* may have two meanings to it; either *Kufr Al-Akbar* or *Kufr Al-Asghar*. But when this word *Kufr* is attached with the ‘*Alif* and the *Lam*, it takes on the meaning of “The *Kufr*”, which can only take the meaning of *Kufr Al-Akbar*.

¹³⁸ “‘*T’lām Al-Muwaqqi‘în*”, Vol.1/50

¹³⁹ “*Mujmū’ Al-Fatāwa*”, Vol. 20/14

¹⁴⁰ “*Mujmū’ Al-Fatāwa*”, Vol. 1/283-284

As Ibn Taymiyyah said, "There is a difference between *Al-Kufr*, which comes attached with 'Alif Lam, as in the Prophet's saying, 'There is nothing between the slave and *Al-Kufr* or *Al-Shirk*, except abandoning the *Salāt*,' and between *Kufr* which is not attached with *Alif Lam*." ¹⁴¹

And also from a language point of view is the phrasing of the sentence itself. Allāh has said that these people are, "...the *Kāfirūn*," so how can they not be disbelievers if Allāh has called them "...the *Kāfirūn*"? And this is different than some of the *Ahādīth* in which the word "*Kufr*" can sometimes be used as *Kufr Al-Asghar*, because the word used here is "...the *Kāfirūn*" and so the word Allāh used is not describing the act, He is describing the people themselves for committing the act. And this is the distinction here.

And as *Al-'Allāmah*, Muhammad Ibn Ibrāhīm Āl Ash-Shaykh said, "It is impossible for Allāh to call someone a *Kāfir* for 'Ruling by Other Than What Allāh Revealed' and then for them not to be a *Kāfir*." ¹⁴²

Also, the word Allāh used in the *Āyah*: مَنْ *'Mann'* (i.e. whoever) is the most general form of word, which – according to the rules of the *Qur'ān* – includes everyone who meets the conditional clause in the sentence.

Ibn Taymiyyah said, "And the word, '*Mann*' (i.e. whoever) is the most general type of terminology especially when it is used as a condition or enquiry, like His *Ta'āla*'s saying:

فَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ خَيْرًا يَرَهُ

So **whosoever** does good equal to the weight of an atom (or a small ant), shall see it. (*Az-Zalzalah*, 7) and His saying:

أَقَمَنْ كَانَ عَلَىٰ بَيِّنَةٍ مِّن رَّبِّهِ كَمَنْ زُيِّنَ لَهُ سُوءُ عَمَلِهِ وَاتَّبَعُوا أَهْوَاءَهُمْ

Is he **whosoever** is on a clear proof from his Lord, like those for **whoever** their evil deeds that they do are beautified for them, while they follow their own lusts (evil desires)? (*Muhammad*, 14) ¹⁴³

Don't Those Who 'Rule by Other Than What Allāh Revealed' in Particular Instances, Without Making it a General Legislation, Still Linguistically Included in This Verse?

¹⁴¹ Look to "*Iqtidhā' As-Sirāt Al-Mustaqīm*", Pg. 69 & for more details about the comprehensiveness of the words preceded with the ¹ ('Alif) and ² (Lam), refer to "*Al-Īdḥah Fī Ulūm Al-Balāghah*", by Al-Khatīb Al-Qazwīnī, published by "*Dār Al-Kutub Al-'Ilmiyyah*", 1405 H. and "*As-Salāt*" by Ibn Al-Qayyim, pg. 18; published by "*Dār Al-Kutub Al-'Ilmiyyah*"

¹⁴² "*Takhīm Al-Qawānīn*", Pg. 15

¹⁴³ "*Al-Fatāwa*", Vol. 15/82 and look to Vol. 24/246

There is one point to be aware of and that is that a judge who rules in a particular instance by other than what Allāh revealed, as the judges of *Banī Umayyah* were guilty of, could linguistically fall under the *Āyah*: **“And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*.”** And this is because the word “*Al-Hukm*” (i.e. ruling) can also take the meaning of the word “*Al-Qadhā*” (i.e. verdict) ¹⁴⁴ and in this sense – the purely linguistic sense – the judge who rules in particular instance by other than what Allāh revealed, would be in this same category. And this was the sense that the *Khawārij* tried to hold the *Āyah* upon the rulers of *Banī Umayyah*, as it shall be made clear, *inshā-Allāh*. But we do not understand this *Āyah* strictly from the point of view of language and we do not include all of what the *Āyah* can imply based upon the rules of language alone; rather we look to the reason for which it was revealed.

And it is quite clear from what has passed that the *Āyah* is only held upon its *Asl* of *Kufr Al-Akbar* in the case where the laws from the *Sharī'ah* itself have been replaced or changed or removed from the general laws of the country. And although the case of a judge who ‘Rules by Other Than What Allāh Revealed’ in a particular instance, due to his desires or whims etc., is from the greatest of sins, we do not hold this equal with the *Hākim* who replaces and abolishes the entire *Sharī'ah* or even specific laws from Allāh’s *Hukm*. ¹⁴⁵ And this is re-enforced by the reason the *Āyāt* came down in the first place:

¹⁴⁴ Look to “*Al-Qāmūs Al-Muhīt*”, Vol. 4/98

¹⁴⁵ Ibn Al-Qayyim, may Allāh be merciful to him, said, “And it is true that ruling by other than what Allāh has revealed is both types of *Kufr*; *Kufr Asghar* and *Kufr Akbar*, and it depends on the condition of the ruler. If he believes in the obligation of ruling by what Allāh has revealed **in this instance** but turns away from it - out of disobedience - and while acknowledging that he is deserving of punishment, then this is *Kufr Asghar*. And if he believes that it is not obligatory and that he has a choice in the matter, with his firm belief that it is the ruling of Allāh then this is *Kufr Akbar*. (“*Madārij As-Sālikīn*”, 1/337)

So it is clear here that the *Shaykh* is referring to the ruling in a particular instance and not in matters of general legislation, as he said, **“...in this instance...”** (*wāqī'ah*), which indicates that this judgment from the ruler is limited to a particular case and not a situation wherein he has legislated a law or laws, which contradict the clear *Islāmic Sharī'ah* and then rules the general population in accordance with them. So be aware of this difference. And be aware that this quotation from Ibn Al-Qayyim, may Allāh be merciful to him, has been used by the likes of the *Murji'ah* and those who follow their desires to deceive the reader into understanding that this statement indicates that the ruler who replaces the laws of *Islām* with his own laws is merely committing an act of *Kufr Asghar* and that it only becomes *Kufr Akbar* when he believes he has the choice.

And how could this be the opinion of Ibn Al-Qayyim, when he has clearly stated, “The Most Glorified swore by His Holy Self a strong oath with the negation at it’s beginning (i.e. **But no, by your Lord, they can have no Faith, until they make you (O Muhammad) judge in all disputes between them...**” 4:65) of the *Īmān* of the creation, until they make His Messenger the judge of everything that is between them. (This judgement is for) the most general issues and the most specific ones, the laws of the *Sharī'ah*, the *Ma'ād* and all the descriptions etc. (Furthermore), *Īmān* can not be established inside them even if they do use him as their judge, until they are not reluctant – which would be if they had constricted chests (i.e. if they had any dissatisfaction in their hearts about his صلى الله عليه وسلم judgement). Furthermore, their hearts must remain open to his judgement and they must accept it with complete acceptance and (even then,) the *Īmān* will not be established until they add to their acceptance, pleasure and they surrender to his judgement without questioning it and without going against it or turning away from it.” – “*At-Tibyān Fī Aqsām Al-Qur'ān*”, Pg. 270

For Whom and About What Was This Verse Revealed?

Ibn Jarīr At-Tabarī said, “He *Ta’āla* says, **whoever conceals the *Hukm* of Allāh, which He revealed in His Book and made it a law between the slaves – so he hides it and rules with other than it** like the *Hukm* of the Jews concerning the married fornicators with whipping of the guilty and blackening their faces and concealing the *Hukm* of stoning and like their judging upon some of their murdered with full blood-money and some with half of their blood-money. And concerning the noble people, they would have *Qisās* but the commoner would only get the blood money. But Allāh made all of them equal in the *Tawrāt*: ...**such are the *Kāfirūn***. They are the ones who concealed the truth, which was upon them to uncover and make clear. **And they hid it from the people and they showed something different to the people and they judged according to that (i.e. the changed *Hukm*) because of a bribe they took from them.**”¹⁴⁶

So the *Āyah* was revealed for these Jews who had replaced Allāh’s *Hukm* with their own fabricated *Hukm*. And they ruled with that *Hukm* generally for the commoner and this ruling was not in specific instances and this is the reason why we make the distinction in this matter.

And what makes it even clearer that Ibn ‘Abbās, may Allāh be pleased with him, held the meaning of the aforementioned *Āyah* upon *Kufr Al-Akbar*, is the fact that he narrated the following: “...By Allāh they were revealed with regards to these two (Jewish tribes), and it was these two that Allāh, ‘*Azza Wa Jall* meant (in these verses).”¹⁴⁷

So if these *Āyāt* in *Sūrat Al-Mā'idah* were revealed for the Jews, who obviously disbelieved in *Islām*, then Ibn ‘Abbās would not have held these *Āyāt* upon *Kufr Al-Asghar* because it is clear that they were *Kuffār* and no one disputes this. So obviously Ibn ‘Abbās would hold these *Āyāt* upon the meaning, which expels one outside the realm of *Islām*, because of the *Kufr* of the Jews. So if we are to find authentic instances in which Ibn ‘Abbās held these *Āyāt* upon *Kufr Al-Asghar*, then we must determine whom he was holding their meaning upon less than *Al-Akbar*. And it must be understood that these instances would not be the *Asl* of the meaning of these *Āyāt*, rather Ibn ‘Abbās and others would be referring to a specific group whom he did not hold as disbelievers.

Restricting the Verse to Banī Isrā’īl Only

Although Ibn Jarīr narrated several reports from the *Salaf*, which indicate that these *Āyāt* were revealed for the Jews, this does not mean that they are only held upon the Jews and

¹⁴⁶ “*Tafsīr At-Tabarī*”, Vol. 4/592

¹⁴⁷ Narrated by Ahmad and others; and *Shaykh* Nāsir Ad-Dīn Al-Albānī, may Allāh be merciful to him called it “*Hasan*” in “*As-Silsilat As-Sahīhah*”, Vol. 6. #2,552 and brings strong evidence to support this classification as www.salafipublications.com have posted in their article entitled, “Concerning Those Who Do Not Rule by what Allāh SWT has Revealed” (Article no. MNJ050002)

this is from the basic principals of *Tafsīr*. This is because although a verse may be revealed about a particular group or people or a particular event, this does not restrict the meaning or ruling of that verse to those people or that event alone. Rather, we say that this verse was revealed for one particular group (i.e. Banī Isrā'īl) for their replacing the *Hukm* of Allāh and it is applicable to all those who do likewise.

And this was pointed out by Ismā'īl Al-Qādhī, as Ibn Hajar narrated, "And Ismā'īl Al-Qādhī said in "*Ah'kām Al-Qur'ān*", after he mentioned the disagreement concerning that: 'The outward meaning of the verse indicates that whoever does what they (i.e. the Jews for whom this verse was revealed) did, and invents a ruling, which contradicts the ruling of Allāh, and makes it a law (*Dīn*), which is acted upon, then what was held upon him is the same as what is held upon them in the aforementioned threat; whether he is a ruler or other than that.'" ¹⁴⁸

As Ibn Taymiyyah said, "Even if these *Āyāt* ¹⁴⁹ came down for certain circumstances, their meanings and rulings are general as are most of the *Āyāt* that were revealed for specific reasons. There is no difference of opinion among the people on this issue that we know of. **They (i.e. the *Āyāt*) are general for all the people whose situations are the same as those whom the *Āyāt* were revealed for.** If the wording (of the *Āyāt*) is general, it is alright to mention that they were revealed for such and such people about such and such event; **however, their meanings and rulings are not to be limited to these people and events only. And what the majority of what the people are (agreed) upon, is that it is *Wājib* (obligatory) to take the rulings of these *Āyāt* in a general sense unless there is clear evidence which proves that their rulings are limited specifically to those they were revealed about.**" ¹⁵⁰

And this is clear based upon the following report from Al-Hakim who said: Abū Zakariyyā Yahyā Ibn Muhammad Al-'Anbarī narrated to us: Muhammad Ibn 'Abd As-Salām narrated to us: "Is'hāq Ibn Ibrāhīm narrated to us: 'Jarīr informed us from Al-A'mash from Ibrāhīm from Hammām who said: 'We were with Huthayfah, then they mentioned: **"And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*."** So a man from the people said: 'Verily this is regarding Banī Isrā'īl.' So Huthayfah (sarcastically) said: 'What good brethren the Children of Israel are. All of what is bitter is for them and all that is sweet is for you. No, by the One in whose hand is my soul, until you follow the tradition with the tradition and the arrow feather by the arrow feather'" ¹⁵¹

¹⁴⁸ "*Fat'h Al-Bārī*", Vol. 13/120

¹⁴⁹ And here "...these *Āyāt*..." was not referring to these specific *Āyāt* in *Sūrat Al-Mā'idah*, however the rule he brings is applicable for the entire *Qur'ān* and the *Āyāt* which include condemnation for any matter.

¹⁵⁰ "*As-Sāram Al-Maslūl 'Alā Shātim Ar-Rasūl*", Pg. 33

¹⁵¹ Al-Hākim narrated it in "*Al-Mustadrak*", Vol. 2/342 who said, "It is *Sahīh* according to the conditions of the two *Shaykhs* (i.e. Al-Bukhārī and Muslim) but they did not narrate it." And Ath-Thahabī said in "*Al-Talkhīs*", "It is upon the conditions of Al-Bukhārī and Muslim." And *Shaykh* Sulaymān Ibn Nāsir Ibn

And Ibn Kathīr narrated the same from Al-Barā' Ibn 'Āzib and Huthayfah Ibn Al-Yamān and Ibn 'Abbās from Abī Majlīz and Abī Rajā' Al-'Utāridī and 'Ikrimah and 'Ubayd Allāh Ibn 'Abdillāh and Al-Hasan Al-Basrī and others who said, "They came down for *Ahl Al-Kitāb*." And Al-Hasan Al-Basrī added, **"...and it is obligatory (to apply the verses meaning) upon us (as well)."** And from Sufyān Ath-Thawrī from Mansūr from Ibrāhīm who said, **"These *Āyāt* came down for *Banī Israel* and they are chosen for our *Ummah*."** And the opinion chosen by the *Shaykh* of *Mufasssirīn* (i.e. interpreters of the *Qur'ān*), Ibn Jarīr At-Tabarī, is that these verses were intended for *Ahl Al-Kitāb* and anyone else who rejects the *Hukm* that Allāh sent down in His Book."¹⁵²

And although there are some authentic reports from the *Salaf*, which indicate that they only held these *Āyāt* upon the Jews, the truth of the matter is that they are general, and the

'Abdillāh Al-'Ulwān agreed with that. Also, a similar narration can be found in "*Tafsīr At-Tabarī*", from Huthayfah Ibn Al-Yamān.

¹⁵² Look to "*Tafsīr Al-Qur'ān Al-'Athīm*" Vol. 2/63-64 And the saying of Ibn Jarīr here, "...and anyone else who rejects the *Hukm* that Allāh sent down in His Book," does not mean that this rejection must come from a belief in the heart in order to be *Kufr Al-Akbar*, as the leaders of *Irjā'* in our time have alleged. What is clear from the words of Ibn Jarīr, may Allāh be merciful to him, is that the form of 'Ruling by Other Than What Allāh Revealed' which the Jews committed – where they replaced the *Hukm* of Allāh regarding the stoning of the married adulterer with their own fabricated law of whipping and blackening their faces and also the execution of the murderer with their own fabricated law in which, only the commoner would be executed etc. -- is the rejection of the "...*Hukm* that Allāh sent down in His Book." And if anyone has any doubts that a person can commit *Juhūd* (i.e. rejection) on the outside – which is a known form of *Kufr Al-Akbar* – then let him look to the words of Allāh, *Ta'āla*:

وَجَحَدُوا بِهَا وَاسْتَيْقَنَتْهَا أَنْفُسُهُمْ ظُلْمًا وَعُلُوًّا فَانظُرْ كَيْفَ كَانَ عَاقِبَةُ الْمُفْسِدِينَ

And they rejected (*wa jahadū bihā*) them (those *Āyāt*) wrongfully and arrogantly, though their ownselves were convinced thereof [i.e. those (*Āyāt*) are from Allāh, and Mūsā (Moses) is the Messenger of Allāh in truth, but they disliked to obey Mūsā (Moses), and hated to believe in his Message of Monotheism]. So see what was the end of the *Mufsidūn* (disbelievers, disobedient to Allāh, evil-doers, liars.) (*An-Naml*, 14)

So we see that the *Juhūd* (i.e. rejection), which takes one outside the realm of *Islām* with the *Kufr Al-Akbar*, can come from ones actions. And this is because Pharaoh and his subjects new the truth of Mūsā's Prophethood صلى الله عليه وسلم and that he came with the truth from his Lord. However, his rejection came from his actions and not from his beliefs. And this is clearly the meaning of the words of Ibn Jarīr here. And we do not have any evidence that the Jews replaced the *Hukm* of Allāh due to any rejection of it in their hearts. In fact Allāh said:

Those to whom We have given the Scripture (Jews and Christians) recognize him (i.e. Muhammad صلى الله عليه وسلم as a Messenger of Allāh, and they also know that there is no *Ilah* (God) but Allāh and Islām is Allāh's Religion), as they recognize their own sons. Those who destroy themselves will not believe. And all we know is that they replaced his *Hukm* with their own fabricated laws and that this is *Kufr Al-Akbar*. And when Allāh made *Takfīr* to "...whosoever does not judge by what Allāh has revealed..." he did not mention the *Kufr* coming from their beliefs, rather He, *Ta'āla* called them, "...the *Kāfirīn*," for the action and tied this to the condition of failing to 'Rule by Other Than What Allāh Revealed,' and not for ruling by other than what Allāh revealed while rejecting it in their hearts.

Āyāt themselves do not specify the Jews as applying to them only so we do not accept this just as Huthayfah Ibn Al-Yamān, may Allāh be pleased with him, did not.

Ibn Al-Qayyim said, "...And some of them explained it (i.e. this verse) as being for *Ahl Al-Kitāb* and this was the saying of Qatādah and Adh-Dhahhāk and others and it is far off (from the truth) and it opposes the generality of the phrasing so it is not to be taken." ¹⁵³

Restricting the Verse to Those Who Do Not Rule by What Allāh Revealed Due to Their Rejection in Their Hearts or Due to Their Making it Permissible to Do So

And this issue would combine two matters; firstly is "Ruling by Other Than What Allāh Revealed", which is an action, and secondly; rejecting the *Hukm* of Allāh in one's heart, or holding it permissible to rule by other than it, which is a belief.

What the reader must keep in mind is that rejecting anything from Allāh's religion is *Kufr Akbar*, even if that person were to actually comply with it. Therefore, the one who rejects the *Salāt* in his heart, or believes that it is not obligatory, disbelieves even if he prays. And the one who rejects the *Zakāt*, in his heart, or believes that it is not obligatory, disbelieves even if he pays it. This is a principle of *Ahl us-Sunnah wa'l-Jamā'ah* about which there is a consensus (*Ijmā'*).

Ibn Taymiyyah said, "As for the four obligations, then if he rejects the obligation of any of them after the proof has reached him, then he is a *Kāfir* and likewise is the one who rejects the forbiddance of any of the clear, frequently narrated forbiddances, such as the *Fawāhish* and the *Thulm* and the lying and the alcohol and the likes of that." ¹⁵⁴

An-Nawawī said, "And if he apostates by rejecting an obligation or permitting a forbiddance then his *Islām* is invalid until he turns back from his belief and he restates the two *Shahādahs* because he belied Allāh and he belied His Messenger with what he believed from this information. Therefore his *Islām* is invalid until he brings the two *Shahādahs*." ¹⁵⁵

And Ibn Hajar narrated from Al-Baghawī regarding the repentance of the apostate, "So if he disbelieved due to rejection of an obligation or permitting a forbiddance then he must turn back from that which he believed." ¹⁵⁶

¹⁵³ "*Madārij As-Sālikīn*", Vol. 1/365

¹⁵⁴ "*Majmū' Al-Fatāwa*", Vol. 7/609-610

¹⁵⁵ "*Al-Majmū'*", Vol 19/231

¹⁵⁶ "*Fat'h Al-Bārī*", Vol. 12/279

Therefore, rejecting the *Hukm* of Allāh, in the heart, would cause a ruler to disbelieve even if he actually did rule according to what Allāh revealed. And in this case, the ruler would disbelieve based upon his belief and not based upon his action. But when we are discussing the ruler who rules by other than what Allāh revealed, we are discussing the action itself. And although an action can have different reasons behind it, it is this action which Allāh referred to in His statement: **“And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*.”**

Furthermore, the rejection of what Allāh revealed in someone’s heart could take place in anyone and not just the ruler. In this sense the issue of belief and whether or not an individual rejects the *Hukm* of Allāh in his heart was not addressed by this verse in the first place. So it is not logical that this verse would be restricted upon the meaning of *Kufr Akbar* only when the ruler rejects the *Hukm* of Allāh in his heart, because this can take place by anyone whereas only the ruler has been addressed in this verse.

While explaining his poetic verse: “*Except by his making Istihlāl* ¹⁵⁷ *of what he committed*”, Hāfith Al-Hakamī said, “And this means that the one who commits the *Kabīrah* (major sin) disbelieves if he permits it. Rather, he disbelieves merely by his belief in the permissibility of that which Allāh and His Messenger forbade, even if he does not commit it, because at that point, he is a belier (*Mukathib*) upon in the Book and a belier (*Mukathib*) in the Messenger صلى الله عليه وسلم and that is *Kufr*, according to the Book and the *Sunnah* and the *Ijmā’*’. So whoever rejects a matter, about which there is consensus (*Ijmā’*), which is known in the religion by necessity, then there is no doubt in his *Kufr*.” ¹⁵⁸

And Ibn Al-Qayyim said, while discussing the various opinions regarding this verse and those whom it is held upon, “Ibn ‘Abbās said, ‘It is not *Kufr*, which takes one outside the *Millah* (i.e. the realm of *Islām*)...rather if he does it, it is *Kufr* in him but not like the one who disbelieves in Allāh and the Last Day.’ And similar to this was stated by Tāwūs and from them were those who interpreted the verse upon leaving the ruling by what Allāh revealed due to rejection of it, and this was the saying of ‘Ikrimah. And it is the *Marjūh* (i.e. least likely to be correct) interpretation because his rejection itself is *Kufr*, whether he rules or does not rule. And from them were those who interpreted it upon leaving the ruling with all of what Allāh revealed. And from them were those who interpreting it upon those who intentionally rule in contradiction to the texts without being ignorant or misinterpreting them. Al-Baghawī mentioned it from the scholars generally and from them were those who interpreted it upon *Ahl Al-Kitāb* and from them are those who made it to be *Kufr*, which removes one from the *Millah*.” ¹⁵⁹

¹⁵⁷ ***Istihlāl***: To make something permissible

¹⁵⁸ “*Ma’ārij Al-Qubūl*”, Vol. 2/438; published by “*As-Salafiyyah*”

¹⁵⁹ “*Madārij As-Sālikīn*”, 1/336-337

Those who Attempted to Hold This Verse Upon the Tyrannical Muslim Rulers

Ibn Jarīr narrates in his *Tafsīr*, from ‘Imrān Ibn Hudhayr who said: “A group of *Ibādhiyyah* came to Abī Majliz and said to him, ‘Allāh says, **“And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*...**’, ‘...such are the *Thālimūn*’ and ‘...such are the *Fāsiqūn*’. Abū Majliz replied, ‘Verily they do what they do - meaning the leaders - and they know that it is a sin. Verily this *Āyah* was revealed about the Jews and the Christians.” They said: “By Allāh, you know what we know, but you fear them.” He said: “You are more deserving of that than I am. As for us, we do not know that which you know, but you know it, but you are stopped from completing your matter out of fear of them.” And in another narration: ‘Imrān Ibn Hudhayr said a group of people from the *Banī ‘Amr Ibn Sadūs* came to Abū Majliz and said, ‘O Abū Majliz, do you see the saying of Allāh, **“And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*...**’ is this the truth?’ He replied, ‘Yes.’ They said, **“And whosoever does not judge by what Allāh has revealed, such are the *Thālimūn*...**’ is this the truth?’ He replied, ‘Yes.’ They said, **“And whosoever does not judge by what Allāh has revealed, such are the *Fāsiqūn*...**’ is this the truth?’ He replied, ‘Yes.’ So they said, ‘O Abū Majliz, do these (rulers) rule by what Allāh revealed?’ He replied, ‘This is the religion that they hold to and they claim and they call to, so if they leave anything from it; they know that they have fallen into sin.’ They said, ‘No, by Allāh, but you are afraid and worried.’ He said, ‘You are more deserving of this (description) than I am! I do not see this (i.e. that these *Āyāt* apply to them), but you do; yet you do not become upset. But these verses were revealed with regards to the Jews and Christians and the People of *Shirk*.”¹⁶⁰

So here we see that the *Ibādhiyyah*¹⁶¹ were attempting to hold these *Āyāt* upon the rulers in the time of Abū Majliz and cause him to make *Takfīr* to them. So we must analyze who these rulers were and what form of ‘Ruling by Other Than What Allāh Revealed’ these rulers committed.

And we see from the era of Abū Majliz as recorded in the books of *Islāmic* history, that these rulers were *Banī Umayyah* and that they never replaced the *Sharī’ah* with their own fabricated laws. And we see that they were guilty of ruling in specific instances according to their desires and they were guilty of changing the method of selecting the *Khalīfah* from a competent committee of scholars to that of an inherited title, passed from father to son as in a kingship.

¹⁶⁰ “*Tafsīr At-Tabarī*”, Vol.10/354; *Hadīth* #12,025 and 12,026 and *Shaykh Nāsir Ad-Dīn Al-Albānī* has called this *Isnād*, “*Sahīh*” in “*As-Silsilat As-Sahīhah*”, Vol. 6. #2,552 (same article as previously quoted from).

¹⁶¹ The *Ibādhiyyah* were a sect from the original *Khawārij* and were named after ‘Abdullāh Ibn Ibādh Al-Murī At-Tamīmī, who broke away from the *Azraqiyyah* who were named after Nāfi’ Ibn Al-Azraq, and he was one of the original *Khawārij*. – Look to “*The Encyclopaedia of Islām*”, Vol./143-144

‘Abdul-‘Azīz Ibn Muhammad Ibn ‘Alī Āl ‘Abdul-Latīf said, “For these (narrations) we must be reminded here that there are people who hold the statements of Ibn ‘Abbās as well as others that have passed, upon a meaning, which they cannot be held. So they taint the understanding and the meaning from it and for this reason it is incumbent upon us to make this clear: The outward apparent meaning of the *Āyah* in Allāh’s saying, **‘And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*...**’ and those that follow it [**‘...*Thālimūn*’ (5/45) and ‘...*Fāsiqūn*’ (5/47)**] proves that the meaning that comes from it is *Kufr Al-Akbar*, *Fisq Al-Akbar* and *Thulm Al-Akbar*. What reinforces this is that the ‘*Kufr*’ here has come attached to a *Ḷ* (*Lam*). And there is a difference between the *Kufr* attached to the *Ḷ* (*Lam*) and the *Kufr* without the *Ḷ* (*Lam*). (Look to “*Iqtidhā’ As-Sirāt Al-Mustaqīm*, ” by Ibn Taymiyyah, Vol. 1/208) Also what makes this clear (that the *Kufr* is *Kufr al-Akbar*) is the reason they (the *Āyāt*) were revealed; from the point that they were revealed for the Jews just as it has been made clear.¹⁶² Then those like Ibn ‘Abbās and others made the meanings general for other than the *Kuffār* and said, ‘*Kufr Dūna Kufr*’ even though the *Āyāt* are directed to the *Kuffār* as it has come from another *Sanad* from Al-Barā’ Ibn ‘Āzib, may Allāh be pleased with him, who said, ‘They (these *Āyāt*) are for all the *Kuffār*.’ **As for what Abū Majlīz said to the *Ibādhiyyah* - and they are the *Khawārij* in belief and they say, ‘The perpetrator of a *Kabīrah* (major sin) is a *Kāfir* from his ungratefulness and *Nifāq*,’ with disagreements between them and they are many sects. As for what he (i.e. Abū Majlīz) told them; it was his response to their attempt to force him to declare *Takfīr* to their leaders because they were in the army of the *Sultān* and because they (i.e. the rulers) did some of what Allāh ordered them not to do.** We have to understand from the words of Abū Majlīz and Ibn ‘Abbās on their appearance. So we should not be like the *Khawārij*; the ones who made everything that isn’t in accordance with Allāh’s *Hukm* to be *Kufr Al-Akbar* and at the same time we should not be like the opposite group (the *Murji’ah*) who made the changing and replacing of the *Sharī’ah* to be *Kufr al-Asghar*. **Obviously, Ibn ‘Abbās and Abū Majlīz weren’t referring to those who are too proud to remain upon the *Sharī’ah* or who erased it; taking instead, the laws of *Jāhiliyyah* because there is no one from the preceding centuries who has done that.** And the words concerning the sin of ‘*Kufr Dūna Kufr*’ revolves around one matter or one specific instance in the ruling by other than Allāh’s *Hukm* out of desire with the belief that it is *Harām* and sinful to do so, however it (i.e. *Kufr Dūna Kufr*) is not the general rule. This is an apparent matter which is made clear by the words of Ibn Taymiyyah who said, “...but the one who is following the *Hukm* of Allāh and His Messenger both inwardly and outwardly but he disobeys it and follows his desires, then he is at the level of those like him; the level of the sinners.” (“*Minhāj As-Sunnah*”, Vol. 5/131)¹⁶³

And Mahmūd Shākir said, “Surely the people of doubt and *Fitnah* have caused problems with their words in our time from what has been increasing in making excuses for the people in authority who leave the *Hukm* that Allāh revealed and for those who judge in the blood, property and money (of Muslims) by other than the *Sharī’ah* that Allāh sent

¹⁶² Look to “*Majmū’ Ar-Rīwāyāt Fī Sababi Nuzūl Tilk Al-Āyāt Fī Tafsīr Ibn Jarīr*”, Vol. 6/140-148

¹⁶³ “*Nawāqith Al-Īmān Al-Qawliyyah Wa Al-‘Amaliyyah*”, Pg. 316

down in His Book. They have taken the laws of *Kufr* in the countries of *Islām*. So these people (the troublemakers) remain upon the two narrations (from Abū Majlīz) and try to use them as proof that those who judge in the money, property and blood, by other than what Allāh revealed, aren't guilty of *Kufr Al-Akbar* and (they also use the narrations to prove that) the one who opposes the *Sharī'ah* of Allāh; whether he opposes it or is pleased with (that opposition) isn't a *Kāfir*."

And then he went on to say, **"...and their (the *Ibādhiyyah*'s) question wasn't about what the innovators of our time argue with. They were asking about the act of the judges in blood, money and property who went away from the *Sharī'ah* occasionally (based upon their occasional whims or desires) not about those who bring about a new legislation of laws upon the people of *Islām* and ruling with the *Hukm* of other than what Allāh sent down in His Book or upon the tongue of His Messenger صلى الله عليه وسلم.** This action is turning away from *Hukm* of Allāh, being displeased with His *Dīn* and being influenced by the laws of the people of *Kufr* instead of the laws of Allāh. This is (the type of) *Kufr* that there is no doubt about from the people of the *Qiblah* in declaring *Takfīr* upon the one who says it, does it or calls to it."

(Mahmūd Shākīr continues...) **"If they (those who try to use these narrations) claim that the matter being referred to in the narration of Abū Majlīz did in fact mean the replacement of Allāh's *Sharī'ah*, (then this is false too because) it never happened in the history of *Islām* that the *Hākim* brought a new *Hukm*, made it part of legislation and forced it upon the judges – this is one point.** Another point is, if the *Hākim* rules in a specific instance not in accordance with the *Hukm* of Allāh in that matter, due to his ignorance then this is a judgement made in ignorance (and he isn't held accountable for this mistake). Or if he ruled in that matter out of his desires or whims this would be a sin that repentance could cancel or Allāh's forgiveness may cancel it." ¹⁶⁴

And also, what makes it even clearer that these rulers did not leave *Islām* and did not replace the *Sharī'ah* with their own fabricated laws was the *Sahīh* statement from the Prophet صلى الله عليه وسلم who said, "The first one who will change something from my *Sunnah* will be a man from *Banī Umayyah*." ¹⁶⁵ And *Shaykh* Al-Albānī, may Allāh be merciful to him, commented saying, "Most likely the meaning is changing the way in which the *Khalīfah* is chosen and making it a (form of) inheritance (i.e. from father to son)..." ¹⁶⁶ And there is no indication of *Banī Umayyah* doing anything, which is *Kufr Al-Akbar* in this *Hadīth*.

So after all that has passed it becomes clear that the people whom the *Ibādhiyyah* were attempting to make *Takfīr* with these *Āyāt*, were not 'Ruling by Other Than What Allāh Revealed' in the sense that they abolished the *Islāmic Sharī'ah* and brought their own fabricated laws and forced them onto the people. This is very far from the truth; however,

¹⁶⁴ "Umdat At-Tafsīr Mukhtasar Tafsīr Ibn Kathīr" by Ahmad Shākīr, Vol. 4/156-157

¹⁶⁵ "As-Silsilat As-Sahīhah", #1,749

¹⁶⁶ same as above reference

what is affirmed from what has passed, is that they used to rule in particular instances according to their desires but as a whole, the system of governing in their era was the complete *Islāmic Sharī'ah* and they did not replace any of it with their own laws and they did not engage in *At-Tashrī' Al-Ām*, which legislates opposing laws to those of the *Sharī'ah*. And they continued to rule the people by the *Hukm* of Allāh in general with the exception of those rare instances and they left the *Hukm* of Allāh in specific cases in which they were overtaken by their desires, such as in their passing the *Khilāfah* from father to son and they knew they were guilty and admitted to their sin. And in light of this, Abū Majīl's words must be understood: "This is the religion that they hold to and they claim and they call to, so if they leave anything from it; they know that they have fallen into sin." And, "Verily they do what they do - meaning the leaders - and they know that it is a sin."

So this is the explanation of the *Āyah* and the statements of Ibn 'Abbās and other than him from the *Salaf*, which *Shaykh* Ibn Bāz, may Allāh be merciful to him, used to base his *Fatāwa*, which Al-'Anbarī and www.salafipublications.com throw around devoid of any strong evidence and research on their part. And although we respect the noble *Shaykh* Ibn Bāz and benefit from his *Fatāwa* and respect his opinions, we must nevertheless follow the evidence from the texts of the *Sharī'ah* as opposed to blindly following the verdicts of the 'Ulamā. And this was the *Shaykh's* very advise to us which we have quoted earlier. And we have followed this precisely in this section.

The "Other Words" of Shaykh Ibn Bāz, may Allāh be merciful to him

Furthermore, there are other words from the noble *Shaykh* Ibn Bāz which confirm what we have brought forth in this section. Take for example, the following:

"There is no *Īmān* for the one who believes the laws of the people and their opinions are superior to the *Hukm* of Allāh and His Messenger or that they are equal to it or that they resemble it or who leaves it or replaces it with fabricated laws and institutions invented by people, even if he believes that the laws of Allāh are more encompassing and more just." ¹⁶⁷

¹⁶⁷ Look to "*Risālat Wujūb Tahkīm Shara' Allāh Wa Nabth Mā Khālafah*" Pg. 39, which follows the "*Risālat Tahkīm Al-Qawānīn*"; published by "Dār Al-Muslim"

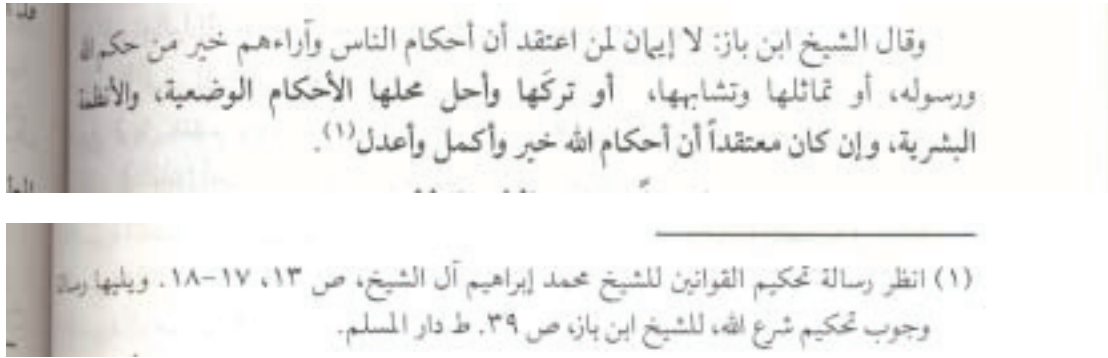
An Important Benefit:

Upon the original release of this section from the refutation, I received a message from a brother who attempted to find this quote from the *Shaykh* Ibn Bāz, may Allāh be merciful to him, from his online *Fatāwa*. In his message, he stated the following:

"Unfortunately, the word '*wa ajāza*' has been omitted from this quotation."

By this, he means to say that the quote should have been narrated as follows: "

Therefore it became incumbent upon me to produce my source by scanning the book and footnote below:



Next, I copied and pasted the text from another online source, which quoted the *Shaykh*'s words from the same source, other than his online *Fatāwa*:

" لا إيمان لمن اعتقد أن أحكام الناس وآراءهم خير من حكم الله ورسوله، أو تماثلها وتشابهها، أو تركها وأحل محلها الأحكام الوضعية، والأنظمة البشرية، وإن كان معتقداً أن أحكام الله خير وأكمل وأعدل "

And finally I advised him with the following:

"We were not quoting from "*Majmoo'a Al-Fatāwa*" of the *Shaykh* nor the website, which hosts it. Rather, we were quoting a narration from the original book, which was published previously, on its own. And we even mentioned the publishing company and page number for the brother to verify it. But instead the brother claimed, "The original quote where this is taken from is Bin Baz's *Majmoo' al-Fatāwa*, Volume 1, p.84, in which it reads..." but unfortunately, this was his error and not ours, as he has assumed that the *Risālah* was extracted from the *Fatāwa*, when in fact it is the other way around. As it is known that the "*Majmoo'a Al-Fatāwa*" is a compilation of the previously issued *Fatāwa*, which were collected and reproduced therein, as opposed to the "*Majmoo'a Al-Fatāwa*" being written first and then later a section of it extracted and published on its own. And it would seem that the quote we narrated, from "*Wujoob Tah'kīm Shara' Allāh*", was altered or mistakenly changed or sourced from a differently worded manuscript, when it was later compiled and included in the *Fatāwa*, and Allāh knows best.

However, if the brother would like to read and verify other words of the *Shaykh*, may Allāh be merciful to him, which amount to the same meaning or the likes of it, then the following quote can be found at:

<http://www.binbaz.org.sa/Display.Asp?f=bz00131.htm>

...and it is also precisely worded this way, from its original source: "*Naqd Al-Qawmiyyah Al-'Arabiyyah*", Pg. 39, which was also later compiled in his *Fatāwa*. And these words concern the ones who take the ruling of the fabricated laws, which contradict the *Qur'ān*:

وهذا هو الفساد العظيم، والكفر المستبين والردة السافرة، كما قال تعالى: ﴿فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا﴾ وقال تعالى: ﴿أَقْحُكُمُ الْجَاهِلِيَّةَ يَبْغُونَ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِقَوْمٍ يُوقِنُونَ﴾ وقال تعالى: ﴿وَمَنْ لَمْ يُحَكِّمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ﴾ وقال تعالى: ﴿وَمَنْ لَمْ يُحَكِّمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ﴾ وقال تعالى: ﴿وَمَنْ لَمْ يُحَكِّمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ﴾ وكل دولة لا تحكم بشرع الله، ولا تنصاع لحكم الله، ولا ترضاه فهي دولة جاهلية كافرة، ظالمة فاسقة بنص هذه الآيات المحكمات، يجب على أهل الإسلام بغضها ومعاداتها في الله، وتحريم عليهم مودتها وموالاتها حتى تؤمن بالله وحده، وتحكم شريعته، وترضى بذلك لها وعليها، كما قال عز وجل: ﴿قَدْ كَانَتْ لَكُمْ أُسْوَةٌ حَسَنَةٌ فِي إِبْرَاهِيمَ وَالَّذِينَ مَعَهُ إِذْ قَالُوا لِقَوْمِهِمْ إِنَّا بُرَاءُ مِنْكُمْ وَمِمَّا تَعْبُدُونَ مِنْ دُونِ اللَّهِ كَفَرْنَا بِكُمْ وَبَدَا بَيْنَنَا وَبَيْنَكُمُ الْعَدَاوَةُ وَالْبَغْضَاءُ أَبَدًا حَتَّى تُؤْمِنُوا بِاللَّهِ وَحَدُّهُ﴾

So with these words, we see that *Shaykh* Ibn Bāz, may Allāh be merciful to him, considered the action of replacing the *Sharī'ah* of Allāh with the fabricated laws and ruling with them to be equal with the belief that the laws of the people are superior to the *Hukm* of Allāh and His Messenger. And what makes this even clearer are his words, "There is no *Īmān*..." because he has prefaced all of what he has listed with the same phrase, thus leaving no doubt that he held each and every category he has listed to be equal in the total negation of the *Īmān*.

The "Other Words" of *Shaykh* Al-Albānī, may Allāh be merciful to him

And likewise, there are other words from the *Shaykh*, Al-Albānī, which confirm the same issue. And from that was his statement: "And I have heard several of them deliver sermons with praiseworthy *Islāmic* enthusiasm and protective instincts (*Ghīrah*), in approving that the *Hākimiyyah* is only for Allāh, alone. And with that, he strikes at the disbelieving ruling system. And this is a beautiful thing, even if we are unable to change it presently." ¹⁶⁸

And he said in one of his earlier cassette recorded lessons, wherein he is describing an argument he had with someone about the *Takfīr* of Mustafā Atatürk, the secularist who converted the constitution of Turkey from the Hanafī code *Sharī'ah*, to the man-made laws. So *Shaykh* Al-Albānī said:

"I made clear to him (i.e. his opponent) that the Muslims did not make *Takfīr* to Atatürk who was Muslim. No. (They did so) when he freed himself from *Islām* when he implemented upon the Muslims an institution other than the institution of *Islām*. And from that was the example of his equalizing between the inheritance of the male and the

"And this is the great *Fasād* (mischief) and the clear *Kufr* (disbelief) and the open *Ridda* (apostasy), just like he, the Most High stated: **But no, by your Lord, they can have no Faith, until they make you judge in all disputes between them, and find in themselves no resistance against your decisions, and accept (them) with full submission.** (*An-Nisā*, 65) and He, the Most High, said: **Do they then seek the judgement of (the Days of) Ignorance? And who is better in judgement than Allāh for a people who have firm Faith.** (*Al-Mā'idah*, 50) and He, the Most High, said: **And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*.** (*Al-Mā'idah*, 44) and He, the Most High said: **And whosoever does not judge by that which Allāh has revealed, such are the *Thālimūn*.** (*Al-Mā'idah*, 45) and He, the Most High, said: **And whosoever does not judge by what Allāh has revealed (then) such (people) are the *Fāsiqūn*.** (*Al-Mā'idah*, 47) And every state, which does not rule with the legislation (*Shara'*) of Allāh, and does not submit to the ruling (*Hukm*) of Allāh; then it is an ignorant (*Jāhilī*), disbelieving (*Kāfir*), wrong-doing (*Thālim*), transgressing (*Fāsiq*) state, by the text of these clear verses. It is obligatory (*Wājib*) upon the people of *Islām* to hate it and to take it as an enemy for (the sake of) Allāh. And it is unlawful (*Harām*) upon them to love it and have allegiance (*Muwalāt*) with it, until it believes in Allāh, alone, and rules by the *Sharī'ah*, being pleased with that, for it and upon it. Just as He, the Powerful, the Majestic, said: **Indeed there has been an excellent example for you in Ibrāhīm and those with him, when they said to their people: "Verily, we are free from you and whatever you worship besides Allāh, we have rejected you, and there has started between us and you, hostility and hatred for ever, until you believe in Allāh Alone..."** (*Al-Mumtahinah*, 4)

¹⁶⁸ From his book "*Al-Hadīth Hujjatun bi Nafsihi Fi'l-'Aqā'id Wa'l-Ah'kām*", pg. 96 – 97

female. But Allāh says according to us, **“And for the male is the share of two females.”** And then he obligated upon the Turkish masses, the Qobah (i.e. a Turkish-style hat).¹⁶⁹

And how ironic it is that Khālīd Al-‘Anbarī and www.salafipublications.com always bring the “other words” of Muhammad Ibn Ibrāhīm Āl Ash-Shaykh, in his *Fatāwa*, in order to imply that he changed his opinion in the matter of ‘Ruling by Other Than What Allāh Revealed’ and yet they have neglected to mention the “other words” of *Shaykh* Ibn Bāz or those of *Shaykh* Al-Albānī, which we have been able to find, which is widely available in published form and on the Internet.¹⁷⁰ So their deception is clear and their motivation does not need investigation. They are people who follow their desires and not the evidence. And even when it comes to blindly following the *Fatāwa* of the ‘*Ulamā*, they only select what supports their ideas and they are the first ones to disregard the advice that *Shaykh* Ibn Bāz has offered on their own web site, which we have quoted.

And what would www.salafipublications.com and their avid readers say about this statement and others like them, which are available from *Shaykh* Ibn Bāz or Al-Albānī? Would they call them *Khawārij*? Or would they call them *Qutubīs*? Or perhaps they would call them *Surūrīs* as they have about the others who hold that the ‘Ruling by Other Than What Allāh Revealed’ to be *Kufr Al-Akbar*. And even if we concede that *Shaykh* Ibn Bāz as well as *Shaykh* Al-Albānī latter did, in fact, change their opinions in this subject to what we can see in their more recent *Fatāwa*, this does not invalidate our point. And this is because they would have to say that at one point, *Shaykh* Ibn Bāz and Al-Albānī did hold that ‘Ruling by Other Than What Allāh Revealed’ was *Kufr Akbar*, which did not require the accompaniment of a belief in the heart, in order to be *Kufr Al-Akbar*. And we would ask them, “Then do you say that these two *Shaykhs* were *Takfīrīs* in his earlier years?” And an answer would certainly be interesting.

And so we say that the assorted *Fatāwa*, which Al-‘Anbarī quotes in his article, “The ‘Anbarī Papers: Part 3” that www.salafipublications.com have vehemently swallowed up and referenced on their web site are free to leave if the evidence from the texts of the *Sharī‘ah* indicate other than what their verdicts state. And we encourage the reader to review any of these *Fatāwa*, which Al-‘Anbarī and www.salafipublications.com have listed here and see if there is any proof from the *Islāmic* texts, which indicate that ‘Ruling by Other Than What Allāh Revealed’ is only *Kufr Al-Akbar* when the *Hākim* considers his ruling to be better than or superior to the *Hukm* of Allāh or that he considers his ruling to be permissible in his heart. And the reader will find nothing except for a few references to statements from Tāwūs and Ibn Abbās etc. which we have already explained in this section.

¹⁶⁹ “*Fatāwa Ash-Shaykh Al-Albānī Wa-Maqara’naṭṭihah bi Fatāwa Al-‘Ulamā*”, pg. 263 from his cassette #171.

¹⁷⁰ See <http://www.ibnbaz.org.sa/display.asp?f=th00001> (which is hosted at www.ibnbaz.org.sa at this location as of the date of this project.)

And all of what we have written thus far in this section is in reference to this one *Āyah*. And we have not yet even touched upon the other evidence, which show how the 'Ruling by Other Than What Allāh Revealed' is *Kufr Al-Akbar*'.

In "The 'Anbarī Papers: Part 4" Khālīd Al-'Anbarī and www.salafipublications.com continue to demonstrate their ignorance in the very basis of what *Irjā'* is and what the *Murji'ah* are upon in the matter of *Kufr* and *Riddah* (i.e. apostasy).

So Al-'Anbarī said:

A group of newcomers had arisen to whom the true reality of *Imān* – in the view of the *Salaf* and *Ahl us-Sunnah* became obscure [with the] understanding of the *Ahl ul-Bid'ah* amongst the *Khawarij*, *Mu'tazilah* and the *Murji'ah*. Hence, they reviled their opponents, those who do not hold the view that the one who abandons prayer out of laziness and neglect is not a disbeliever and also those who do not believe in the absolute and unrestricted *takfir* of the one who does not rule by what Allāh has revealed without further clarification and investigation. They went to extremes in their evil and accused the [notable] *Shaikhs* of the Muslim body, such as the *Shaikh*, *Faqih*, *Muhaddith*, 'Allāmah, the *Imām*, *Muhammad Nāsir ud-Dīn al-Albanī* with the scandalous *Irjā'*. This gave clear evidence of their [outright] flippancy, lack of manners, and fear [of Allāh].

So Al-'Anbarī holds that this group who alleges that *Shaykh Al-Albānī*, may Allāh be merciful to him, had *Irjā'* is a "group of newcomers" which have become obscure to "the true reality of *Imān* – in the view of the *Salaf* and *Ahl As-Sunnah*". And he has linked this idea to those who believe that the one who abandons the prayer "out of laziness and neglect" and who 'Rules by Other Than What Allāh Revealed' are disbelievers. And he has accused this opinion of *Shaykh Al-Albānī*, may Allāh be merciful to him, as "scandalous" and "flippancy and lack of manners and fear (of Allāh)".

So let us deal with these ridiculous claims one by one.

The issue of *Irjā'* in the teachings of *Shaykh Muhammad Nāsir Ad-Dīn Al-Albānī*:

Here we wish to pause and emphasise, yet again, that we are not bringing up the issue of *Shaykh Al-Albānī's Irjā'* to attack him or belittle him in the least. And we even hesitate to bring this matter to the forefront because, unlike Khālīd Al-'Anbarī, 'Alī Al-Halabī and their likes, *Shaykh Al-Albānī* has done much more for the *Ummah* than to only be merely recognised for his mistakes in *Imān* and *Kufr*.¹⁷¹ And so we are only mentioning it here because the likes of Khālīd Al-'Anbarī and www.salafipublications.com often curse and attack and revile those who have dared to utter that the *Shaykh*, may Allāh be

¹⁷¹ So we differ from www.salafipublications.com in our treatment of the scholars who have committed errors. And unlike them and their avid readers, we do not only mention the mistakes of others in order to besmirch the honour of the scholars whom we oppose in certain matters with the spirit of attacking and revilement and in the hopes that the people abandon them. Rather, our approach is to honour the scholars and highlight their positive characteristics. And in this spirit, we are only discussing *Shaykh Al-Albānī's Irjā'* due to Khālīd Al-'Anbarī's remarks as well of those from the likes of www.salafipublications.com who have almost focussed on nothing except his teachings in *Imān* and *Kufr*.

merciful to him, had mistakes in the area of *Īmān* and *Kufr*. And if it weren't for the fact that *Shaykh* Al-Albānī has many followers who have clung to his particular teachings in this matter, then we would not even mention it. And certainly if *Shaykh* Al-Albānī hadn't separated the actions from *Kufr* (which is the same as separating actions from *Īmān*), then the likes of www.salafipublications.com would have found some other personality to follow in this issue, in order to fulfil their desires.

The quotations from *Shaykh* Al-Albānī, which we have related in the introduction of this project, are sufficient to demonstrate his separation of actions from *Kufr*, and the quotations are not ambiguous or unclear and they are certainly long enough so that no one could claim that we have taken the *Shaykh's* words out of context. But to clarify the matter further, we have come across a cassette recording, during our research for this project, from a published tape and we will narrate a conversation between Khālīd Al-'Anbarī and *Shaykh* Al-Albānī, in which *Shaykh* Al-Albānī demonstrated his *Irjā'* quite clearly to Khālīd Al-'Anbarī and wherein, the two of them even became in an argument of sorts on the subject of *Īmān*, and what it necessitates. In the course of this excerpt, we will add our own footnotes to the text of their speech but we call Allāh as our witness that we fully transcribed and translated this text accurately and fluidly so that no one can claim that we are misrepresenting or twisting the words of either of them.

Khālīd Al-'Anbarī and Shaykh Al-Albānī, Face-to-Face

The cassette tape we are narrating from is: "*At-Tahrīr Li Usūl At-Takfīr*" – produced by "*Tasjilat Īlāf Al-Islāmīyah Lil Intāji Wat-Tawzī'*" , dated *Ramadhān* 1416 H., which is equivalent to February 10, 1996.

Khālīd Al-'Anbarī: Our *Shaykh*, what is the place of actions in *Īmān*? And are they a condition for its completeness or a condition its existence? I hope for clarity on this matter. May Allāh bless you.

Shaykh Al-Albānī: What we have understood from the evidences of the Book and the *Sunnah* and from the sayings of the *Imāms* from the *Sahābah* and the *Tābi'īn* and the *Imāms* who have witnessed them is that whatever exceeds the actions of the heart and passes it to what has to do with the actions of the body, then it is a condition of the completeness and not a condition for its existence (of *Īmān*).¹⁷²

So this means that the *Shaykh*, may Allāh be merciful to him, did not consider any actions to be from the conditions for the existence of *Īmān*. Rather, he considered "actions of the body to be a condition for its completeness." And this means that he would consider a

¹⁷² From the first question on side A of cassette no. 1

In order to understand why this statement is incorrect we must understand the phrases "completeness of *Īmān*" and "existence of *Īmān*". When the '*Ulamā'* use these two phrases, they mean by "completeness of *Īmān*" those things which help to fulfil the *Īmān* and make it more complete. These things which help complete *Īmān* do not cause all the *Īmān* to be nullified if they are not present. Thus, they are different from those things, which are a condition for the "existence of *Īmān*" because this second category means that if they are not present, then all the *Īmān* is nullified and the individual becomes a *Kāfir*.

person to be a Muslim, even if he abandoned all the actions as long as all the conditions of *Īmān* in the heart were present.

And later in the cassette:

Khālid Al-'Anbarī: Will the *Kufr* be in the heart exclusively or would it be in the heart and upon the tongue and in the actions? In other words, will the *Kufr* only be in (the form of) beliefs or would the *Kufr* be in (the form of) the beliefs and sayings, and actions? Inform me with knowledge.

Shaykh Al-Albānī: It is – from what I understand in this matter – that the *Asl* (i.e. basis) is the *Kufr* of the heart but there are statements and actions which might come from a person, which would inform us of what has occurred in his heart from *Kufr*. But we do not see that it is necessary for his disbelieving in his heart and his disbelieving in some of his actions, to accompany one another. This is because they might be together and they might be separate. We mean like the *Munāfiq*. It is not correct that he has disbelieved in his heart and his actions, because in his actions he is a Muslim and with this, the *Qur'ān* has been clear concerning the Bedouins. So what is apparent to me is that it is necessary to bring together or to investigate whether the *Kufr* is in the heart or the actions but it is not a condition for the actions to accompany the *Kufr* of the heart because the *Asl* of the *Kufr* is in the heart.¹⁷³

So this is the extent of how *Shaykh* Al-Albānī, may Allāh be merciful to him, related the actions to the *Kufr* of the heart. He viewed them merely as evidence for the *Kufr* on the inside. In other words, according to him, the actions themselves are not *Kufr*, which expels one from the realm of *Islām*, rather they are merely evidence for the possible existence of *Kufr* in the heart. And it is precisely this kind of separating of actions from *Īmān*, which the *Murji'at Al-Fuqahā'* used to posses.

Later in the cassette Al-'Anbarī begins to read some words of *Imām* Ibn Al-Qayyim, may Allāh be merciful to him, and then *Shaykh* Al-Albānī says:

Shaykh Al-Albānī: Sorry. The words of Ibn Al-Qayyim – in reality we must pause at them momentarily because you know that there is *Īmān* and *Tasdiq*¹⁷⁴ and *Ma'rifah*.¹⁷⁵ And you know as well, that the *Ma'rifah* and the *Kufr* can be present together but (the question is) can the *Kufr* and *Īmān* be present together at one time? And I mean here by "*Al-Īmān*" that which is the *Asl* that the *Hadīth* came speaking about concerning the Fire and the people who are punished according to what they deserve because of their being far away from the *Dīn* through their actions. When the intercession comes and it takes out

¹⁷³ From side B of cassette no. 1

¹⁷⁴ **Tasdiq:** The resulting assent in one's heart based upon the knowledge of its truthfulness.

¹⁷⁵ **Ma'rifah:** The knowledge of something.

whoever had in their heart, an atom's weight of *Īmān* in his heart.¹⁷⁶ This weight of *Īmān*, can *Kufr* be joined with it?

Khālīd Al-‘Anbarī: The *Īmān*, which is intended in this *Hadīth*, is the true *Īmān*, even if it is an atom. So if the *Īmān* – or I mean the *Tasdīq* – if it is accompanied by hatred of Allāh and *Istikbār* from the command of Allāh, ‘*Azza Wa Jall*, then verily this *Istikbār* negates the *Īmān* and erases it from the heart and for that, the *Murji’ah* have limited the *Kufr* to *Takthīb*¹⁷⁷ of the heart and they went astray, as reported by *Shaykh Al-Islām* that (they used to say), “...everyone who the Legislator (i.e. Allāh) made *Takfīr* to, then He only made *Takfīr* to them due to the elimination of the *Tasdīq* of the Lord, *Tabāraka Wa Ta’āla*. And it is known that the *Tak’tthīb* in the heart; there is no path to knowing it and uncovering it and for this we see that we cannot establish the *Kufr* of any individual as Ibn Wazīr said, ‘...except with a specific text for a specific individual.’ And the *Salaf* have made *Takfīr* to those who have said this statement. Like Iblīs, the Outcast, is a *Kāfir* in the texts of the *Qur’ān* and was not a *Mukath’tthīb* (i.e. one with *Takthīb*), rather he was stubborn towards Allāh with conceit. And Iblīs, without doubt, in his heart there is *Tasdīq*, yet with that, he disbelieved according to the Great Book (i.e. the *Qur’ān*). And like that also, is Pharaoh and his people. As our Lord said: **And they rejected them (those *Ayāt*) though their own selves were convinced thereof.**¹⁷⁸ And He also said: **And (remember) when Mûsa (Moses) said to his people: "O my people! Why do you hurt me while you know certainly that I am the Messenger of Allāh to you?"**¹⁷⁹ So the harm of the people towards Mûsā while they knew that he was a Messenger of Allāh, by the text of the Great Book, this harm and what...

Shaykh Al-Albānī: (Interrupting) Here, there is no *Tasdīq*. Concerning Pharaoh there is no *Tasdīq*. Concerning Pharaoh and the *Āyah*, we do not find *Tasdīq* in them. So where do we get the *Tasdīq*?

¹⁷⁶ Likely referring to what was narrated by Abū Sa’īd Al-Khudrī from the Messenger of Allāh صلى الله عليه وسلم, that he said, “The Lord – Glorified and High, will say to the believers, after they have been taken out of the Fire; those who are known to be from the people of *Īmān*: Take out whoever has the weight of one *Dīnār* of *Īmān*. Then whoever has in their heart, the weight of one-half of a *Dīnār*.” – until He says: ‘...Whoever has in his heart (the *Īmān*), of the weight of an atom.’ Abū Sa’īd said, ‘Whoever does not believe in this must read the verse: **إِنَّ اللَّهَ لَا يَظْلِمُ مِثْقَالَ ذَرَّةٍ وَإِنْ تَكُ حَسَنَةً يُضَاعِفْهَا وَيُؤْتِ مِنْ لَدُنْهُ أَجْرًا عَظِيمًا** Surely! Allāh wrongs not even of the weight of an atom (or a small ant), but if there is any good (done), He doubles it, and gives from Him a great reward.’ – Narrated by Al-Bukhārī, Muslim in full, and At-Tirmithī, Ibn Mājah and Ahmad with shorter versions.

¹⁷⁷ *Takthīb*: The inner rejection of the truth in the heart only. And what Al-‘Anbarī has said here is the truth. The *Murji’ah* limit *Kufr* to be *Takthīb* and this was because *Takthīb* is the polar opposite to *Tasdīq*. So if we are to say that *Tasdīq* is *Īmān*, as *Shaykh Al-Albānī* has said here, and we limit *Īmān* to this pillar, then we must also say that *Kufr* is *Takthīb* and we must limit *Kufr* to *Takthīb* as well. And this is the precise school of thought of the *Murji’ah*. So for Al-‘Anbarī to witness this from *Shaykh Al-Albānī*, may Allāh be merciful to him, and then not see that he had *Irjā’*, then he truly is even more ignorant than we first expected.

¹⁷⁸ *Sūrat An-Naml*, 14

¹⁷⁹ *Sūrat As-Saff*, 5

Khālīd Al-'Anbarī: "And they rejected them..." This was for Pharaoh and his people.

Shaykh Al-Albānī: What did Mūsā say to him?

Khālīd Al-'Anbarī: "And (remember) when Mūsā (Moses) said to his people: 'O my people! Why do you hurt me while you know certainly that I am the Messenger of Allāh to you?'"

Shaykh Al-Albānī: "...while you know certainly that..." Here, there is no *Tasdīq*. There is no attribution by Mūsā to Pharaoh that he is a *Musaddiq* (i.e. one who possesses *Tasdīq*) because it is not hidden to you that *Ta'lam*¹⁸⁰; it has the same meaning as if we say, "*Ta'rif*,"¹⁸¹ as Allāh 'Azza Wa Jall, said concerning the Jews: **They recognise (*Ya'rifūn*) him (i.e. Muhammad saw as a Messenger of Allāh, and they also know that there is no *Ilah* (God) but Allāh and Islām is Allāh's Religion), as they recognise (*Ya'rifūn*) their own sons.** But with this *Ma'rifah*, did they have *Īmān*? I assume that the answer is no?

Khālīd Al-'Anbarī: No.

Shaykh Al-Albānī: Ok. This *Ma'rifah* which was used in the phrasing of the address of Mūsā, 'Alayhī As-Salām, to Pharaoh, "...you know (*Ta'lamūn*)..." So *Ta'lamūn* is at the same weight as "**They recognise (*Ya'rifūn*)...**" both in its sound and in its meaning. This does not mean that they were *Musaddiqīn*, in other words that they were *Mu'minīn*...

Khālīd Al-'Anbarī: (Interrupting) O our *Shaykh*, may Allāh bless you. His *Ta'āla*'s saying: "...you know (*Ta'lamūn*)..." This is the knowledge. This does not indicate that they were internally *Musaddiqīn* (to the fact that) he was a Messenger except that they did not come with the rest of the pillars of *Īmān* such as submission and obedience...

Shaykh Al-Albānī: (Interrupting) We should not have to repeat words. Did the Jews used to believe in the Messenger?

Khālīd Al-'Anbarī: They used to have *Tasdīq* concerning him.

Shaykh Al-Albānī: Pardon me. Tell me, did they use to believe?

Khālīd Al-'Anbarī: No.

Shaykh Al-Albānī: Did they used to know?

Khālīd Al-'Anbarī: Yes.

¹⁸⁰ *Ta'lam*: Knowing something

¹⁸¹ *Ta'rif*: From *Al-Ma'rifah*; to be aware of something

Shaykh Al-Albānī: Ok. So then there is now a difference clearly between us about that there is a difference between *Al-Īmān* and *Al-Ma'rifah*. So everyone who is a *Mu'min*; then he knows but not everyone who knows would be a *Mu'min*. Up until this point is everything clear?

Khālid Al-'Anbarī: Yes.

Shaykh Al-Albānī: Very good. Now we will raise one of these two words. And we will put in its place another word. And it is "*Al-Īmān*". In my opinion, it can be replaced with "*At-Tasdīq*", unlike "*Al-Ma'rifah*". So we do not differentiate between the one who is a *Musaddiq* concerning the Messenger and between the one who is a *Mu'min* concerning the Messenger. Is there a difference from what you know?

Khālid Al-'Anbarī: Yes, there is a difference.

Shaykh Al-Albānī: This is what I need to know.

Khālid Al-'Anbarī: My saying, "...*Musaddiq* concerning the Messenger..." means that he has a pillar from the pillars of *Īmān*. And that is *Tasdīq* concerning the Messenger. Because perhaps he has *Tasdīq* in his heart but he does not confess it upon his tongue.

Shaykh Al-Albānī: From where do we take this (idea) from?

Khālid Al-'Anbarī: Ok. Leave this (explanation) then *Shaykh*. Perhaps he believes in his heart while he mocks the *Āyāt* of Allāh and His Messengers. So this making fun of the *Āyāt* of Allāh and His Messengers means that he does not have in his heart, respect and love for Allāh and His Messengers. Would we not make *Takfīr* to him?

Shaykh Al-Albānī: Of course. Of course we would make *Takfīr* to him...

Khālid Al-'Anbarī: By him leaving this pillar?

Shaykh Al-Albānī: We are not disagreeing with you on this point...may Allāh bless you. There are actions, which show what is in the heart. There are actions which emerge from an individual which show what is in the heart from *Kufr* and *Tughyān* ¹⁸² From that is

¹⁸² **Tughyān:** Leaving the limits set by Allāh to the point. It is from this word that the word *Tāghūt* is derived. *Shaykh Al-Islām*, Ibn Taymiyyah said, "The meaning of '*Tāghūt*' comes from the one who performs *Tughyān* and this means going outside the established borders (i.e. exceeding his limits) and it is *Thulm* (wrong doing) and rebellion. So the one who is worshiped instead of Allāh and he doesn't hate it, then he is a *Tāghūt*. And for this reason the Prophet صلى الله عليه وسلم called the idols *Tawāghūt* (plural of *Tāghūt*) in the *Sahīh Hadīth* in which he said, '*Tawāghūt* will follow the people who worship the *Tawāghūt*.' The person who is obeyed in disobedience of Allāh or the person who is obeyed in following other than the guidance of the *Dīn* of truth; in either case, if what he orders mankind is in opposition to Allāh's orders, then he is a *Tāghūt*. For this reason, we call the people who rule by other than what Allāh revealed, a '*Tāghūt*.' And Pharaoh and the people of '*Ād*, were *Tughāt* (plural of one who performs *Tughyān*).'" [- "*Al-Fatāwa*", Vol. 28/200] and Ibn Al-Qayyim, his student said, "The term '*Tāghūt*' refers to all things in

*Istihzā'*¹⁸³ but right now our research is that we understand from your words that there is a difference between *Al-Īmān* and *Tasdīq*. So it is like they say in other than this topic, that there is generality and specification.

which the slave (i.e. man) exceeds his limits whether it takes the form of someone who is worshiped or obeyed. So a *Tāghūt* means all people who rule by other than what Allāh rules or His Messenger. This would also apply in the case that the people worship him besides Allāh or they follow him without sight from Allāh or they obey him when they aren't sure if they are obeying Allāh. So these are the *Tawāghūt* of the world and if you look at them and see the condition of the people with them, you will see that most of them have switched from worshipping Allāh to worshipping the *Tāghūt*. From ruling by what Allāh and His Messenger ruled, to the ruling of the *Tāghūt*. And from obeying Him and His Messenger to obeying the *Tāghūt* and following him." [- "*T'lām Al-Muwaqqi'in*", Vol.1/50]

¹⁸³ ***Istihzā'***: mocking; whether it is *Islām* itself, or Allāh or His Messenger etc. And here, *Shaykh* Al-Albānī, may Allāh be merciful to him has demonstrated his *Irjā'* clearly to Khālīd Al-'Anbarī. He has limited the *Kufr* of actions to be evidence for the *Kufr*, which may exist in the heart. But according to *Ahl As-Sunnah*, *Istihzā'* itself is *Kufr*. Just as we say that an action of obedience, itself, is *Īmān*, we also say that an act of *Kufr* is itself *Kufr*. And from one point of view it is correct to say that actions of *Kufr* indicate that there is *Kufr* in the heart, but it is also true that these actions of *Kufr* nullify the *Īmān* in the heart. And this is the point that the *Shaykh* has missed. So when we see a person performing an action of clear *Kufr Al-Akbar*, then we do not say that his action is evidence that *Kufr* already existed in his heart. Just as we do not say, when we see a person performing an act of worship, that his action is evidence that *Īmān* exists in his heart. Rather, we say that the act itself is *Īmān* and in the case of actions of *Kufr*, we say that the act itself is *Kufr*, which nullifies all the *Īmān* in the heart. And this is especially true for the case of *Istihzā'*. As Allāh said:

وَلَمَّا سَأَلْتَهُمْ لَيَقُولُنَّ إِنَّمَا كُنَّا نَخُوضُ وَنَلْعَبُ قُلْ أَبِإِلَهِهِمْ وَإِبَاتِهِ وَرَسُولِهِ كُنْتُمْ تَسْتَهْزِئُونَ لَا تَعْلَمُونَ لَكَ كُفْرُكُمْ بَعْدَ إِيمَانِكُمْ إِنَّ نَعْفَ عَنْ طَائِفَةٍ مِنْكُمْ يُعَذِّبُ طَائِفَةٌ يَأْتُهُمْ كَانُوا مُجْرِمِينَ

If you ask them (about this), they declare: "We were only talking idly and joking." Say: "Was it at Allāh, and His *Ayāt* (proofs, evidences, verses, lessons, signs, revelations, etc.) and His Messenger (صلى الله عليه وسلم) that you were mocking?" Make no excuse; you have disbelieved after you had believed. If We pardon some of you, We will punish others amongst you because they were *Mujrimūn* (disbelievers, polytheists, sinners, criminals, etc.). – *Sūrat At-Tawbah*, 65-66

So the *Istihzā'* is not merely evidence for the *Kufr* in the heart as the *Shaykh* has said. It is, in fact, an action of *Kufr*, which nullifies the *Īmān* in the heart. And what makes this clear is that Allāh has said: ...**you have disbelieved after you had believed**. And this means that the *Kufr* came after the *Īmān* and the *Īmān* was nullified by the *Istihzā'*.

Ibn Taymiyyah said, "He صلى الله عليه وسلم was ordered to say to them that they disbelieved after their *Īmān*. And the saying of those who declare about these verses, "They disbelieved after their *Īmān* with their tongues while the *Kufr* already existed in their hearts," is not correct because the *Īmān* upon the tongue while *Kufr* is present in the heart is *Kufr* (already). So (these people) claim that it is not to be said, "You have disbelieved after your *Īmān*", because (according to these people), they never stopped being *Kāfirs* in the first place. And even if they mean, "You've demonstrated *Kufr* after you demonstrated *Īmān*," (this is also incorrect) because they did not demonstrate anything to anyone except to their own people (i.e. they said their statements to each other). And they were always (demonstrating) the same thing among their people. But (this is not correct either because) when they committed *Nifāq*, they were worried that a *Sūrah* might be sent down revealing what was in their hearts from *Nifāq* and their uttering mocking statements. So the wording (of the verses) does not indicate that they were always *Munāfiqīn*. – "*Al-Fatāwa*", Vol. 7/272 (Published by "Mu'assasat Ar-Risālah Lit-Tibā' Wan-Nashr" Beirut, Lebanon, Syria St. 1398 H., which is equivalent to 1977 Gregorian.)

And in his refutation of the *Murji'ah*, Ibn Hazm, may Allāh be merciful to him said, "But as far as the one who swears at Allāh, *Ta'āla*, **there is not on the face of the Earth a Muslim who disagrees that it is**

Khālīd Al-'Anbarī: Yes.

Shaykh Al-Albānī: Everyone who is a *Mu'min*, then he is a *Musaddiq* just as I said previously that everyone who is a *Mu'min*, then he is 'Ārif.¹⁸⁴ Now it is as if you are bringing the word *Tasdīq* to replace *Ma'rifah*. Do you want to say that – (pause) – and I hope I am wrong here in what I have understood – that not everyone who is a *Mu'min* at one point in time – and I put this limitation so that we do not lean towards the saying which opposes this – that indicates he has disbelieved and this will come latter on. But I am saying that I understand from your words that the one who is a *Mu'min* at any point in time, then he certainly is a *Musaddiq* and 'Ārif undoubtedly. But not everyone who is a *Musaddiq* at any point in time is a *Mu'min*. This was what I understood from you. In other words, whoever is *Musaddiq* at any one point in time, then he is not a *Mu'min* like we say concerning the one who is 'Ārif about the truthfulness of the Messenger at any one point in time isn't (necessarily) a *Mu'min* because *Al-Ma'rifah* is not always accompanied by *Īmān*. However *Īmān* is always accompanied with *Al-Ma'rifah*.

Khālīd Al-'Anbarī: Yes.

Kufr on its own except the Jahmiyyah and the Ashā'irah – and they are two groups who are not even considered – who clearly state that swearing at Allāh, *Ta'āla* and uttering *Kufr* is not *Kufr*. **And some of them say it is evidence that he believes Kufr**, not that he is certainly a *Kāfir* due to his swearing at Allāh, *Ta'āla*.” – “*Al-Fisal Fī Al-Milali Wal Ahwā'i Wan-Nihal*”, Vol. 13/498

And in his explanation for the cause of this error, he – may Allāh be merciful to him – said, “**And their (i.e. the Murji'ah) Asl (i.e. basis) is a corrupt Asl, which contradicts the Ijmā' of the Muslimīn. And it is that they say, “Al-Īmān is the Tasdīq in the heart only, even if he utters Kufr.”**” – “*Al-Fisal Fī Al-Milali Wal Ahwā'i Wan-Nihal*”, Vol. 13/498

And then he goes on to say, “Then it is to be said to them, ‘Then swearing at Allāh, *Ta'āla* is not *Kufr* according to you. So where do you get that it is evidence for *Kufr*?’ So if they say, ‘Because it has been judged upon he who utters it with *Kufr*.’ **Then it should be said to them, ‘It is judged upon him due to his saying and not from something hidden, which no one could know except Allāh, *Ta'āla*. Because verily, it has been judged upon him with *Kufr* through his saying alone.** So his saying is the *Kufr* and He *Ta'āla* has informed us concerning a people who state upon their mouths that which is not in their hearts, even with that, they are *Kuffār*. Such as the Jews who knew the truthfulness of the Prophethood of Muhammad صلى الله عليه وسلم just as they knew their own sons and even with this (i.e. knowledge), they were disbelievers in Allāh *Ta'āla* completely, which we are certain of because they uttered the saying of *Kufr*.”

And he said, “And they did not disagree that within it – in other words, the Book of Allāh – there is the labeling of *Kufr* and the certain judgment of *Kufr* upon these who say known statements like His *Ta'āla*'s saying: **Surely, in disbelief are they who say that Allāh is the Messiah, son of Maryam (Mary).** (*Sūrat Al-Mā'idah*, 17) And His, *Ta'āla*'s saying: **...but really they said the word of disbelief, and they disbelieved after accepting Islām.** (*Sūrat At-Tawbah*, 74) So it is true that *Kufr* can be in words (themselves).” – “*Al-Fisal Fī Al-Milali Wal Ahwā'i Wan-Nihal*”, Vol. 13/499

¹⁸⁴ 'Ārif: Someone who knows. This word can interchange with 'Ālim.

Shaykh Al-Albānī: But now I am in great doubt concerning the differentiation between *Īmān* and *Tasdīq*. And now I want about the *Āyah* in which there is “*Musaddiqīn*”. Does it mean a meaning other than *Īmān*? This is how I have understood it from you.

Khālīd Al-‘Anbarī: I mean with my saying, “*At-Tasdīq*,” that it is a pillar from the pillars of *Īmān*. I want to be brief...

Shaykh Al-Albānī: (Interrupting) Pardon me. I asked a question.

Khālīd Al-‘Anbarī: Yes.

Shaykh Al-Albānī: I asked a question... The *Āyah*: ...confirming (*Musaddiq*) the Taurāt [(Torah) which came] before me, and giving glad tidings of a Messenger to come after me, whose name shall be Ahmed.¹⁸⁵ Is it in the meaning of other than *Īmān*?

Khālīd Al-‘Anbarī: No.

Shaykh Al-Albānī: This is the problem. From where do we get for the definition of *Tasdīq* that includes *Īmān* in some parts while the *Āyah* is clear? This also, I see that this deserves consideration and to be investigated because that has been embedded inside me from past information is that there is no difference between *Tasdīq* and *Īmān*. But the differentiation is between *Al-Ma’rifah* and *Al-Īmān*. And our question is: “Is the differentiation between *Ma’rifah* and *Īmān* or is the differentiation between *Ma’rifah* and *Tasdīq*?” *At-Tasdīq* and *Al-Īmān*, from what I understand is one thing. In other words, two words which can interchange and which both indicate what has taken place in the heart from *Īmān* in Allāh and His Messengers. But as far as *Al-Ma’rifah*, it is not like that.

Khālīd Al-‘Anbarī: I see that this is a difference in phrasing (only) but you are with me, without doubt, in that *At-Tasdīq* is a pillar from the pillars of *Īmān* and that a man might be a *Musaddiq* and he disbelieves and he might be described with the word “*Al-Kufr*” if he comes with an action from the actions of *Kufr* such as mocking Allāh and His Messengers. Are you with me, O *Shaykh*...may Allāh bless you?

Shaykh Al-Albānī: But I am saying when the *Mu’min* disbelieves with the *Kufr* which removes him from the *Millah*, has he remained a *Mu’min*?!

Khālīd Al-‘Anbarī: No.

Shaykh Al-Albānī: Ok, when the *Musaddiq* disbelieves with the *Kufr*, which takes him outside the *Millah*, has he remained a *Musaddiq*? According to what I have understood, you will say, “Of course”.

Khālīd Al-‘Anbarī: Yes.

¹⁸⁵ *Sūrat As-Saff*, 6

Shaykh Al-Albānī: This differentiation – I want a clarification for it.

Khālid Al-‘Anbarī: I said, O *Shaykh*, may Allāh protect you...Iblīs...was he *Musaddiq* or not?

Shaykh Al-Albānī: He disbelieved! He was a *Musaddiq* and a *Mu'min*...

Khālid Al-‘Anbarī: (Interrupting) But was he a *Musaddiq* or not?

Shaykh Al-Albānī: This is an argument for us! He disbelieved. The one who was a *Musaddiq* and he was, in my opinion, a *Mu'min*. But according to you...according to your differentiating between the two matters (i.e. *Tasdīq* and *Īmān*) you join two opposites. At the time when you differentiate between *At-Tasdīq* and *Al-Īmān*... Leave this differentiation for now. Before the *Kufr* of Iblīs, was he a *Mu'min* or not?

Khālid Al-‘Anbarī: Yes.

Shaykh Al-Albānī: Ok. And when he disbelieved, did he remain a *Mu'min*?

Khālid Al-‘Anbarī: A *Kāfir*.

Shaykh Al-Albānī: Answer, may Allāh bless you, the question so that the Q & A will be clear...

Khālid Al-‘Anbarī: (Interrupting) He was not a *Mu'min*...

Shaykh Al-Albānī: May Allāh bless you. This is it. Ok, before he disbelieved, was he a *Musaddiq*?

Khālid Al-‘Anbarī: And after he disbelieved, he remained a *Musaddiq*. (Long pause.) I have answered plus extra.

Shaykh Al-Albānī: What is the evidence?

Khālid Al-‘Anbarī: The evidence is that he saw the truth with his own eyes...

Shaykh Al-Albānī: (Interrupting) What is the evidence from the *Qur'ān* and the *Sunnah* and the sayings of the *Imāms*, that the *Tasdīq* can be separate from *Īmān*; that it can join with *Īmān* and can be separated from it? Just like we have said concerning *Al-Ma'rifah* precisely. Right now, our example is Iblīs, the outcast. With the agreement of everyone, he was a *Mu'min*. Then he disbelieved from his objecting to the *Hukm* of Allāh, '*Azza Wa Jall*. Like his saying: **Shall I prostrate to one whom You created from clay?**'¹⁸⁶ Disbelieved – meaning that he did not remain a *Mu'min*. But I also say that he did not

¹⁸⁶ *Sūrat Al-Isrā'*, 61

remain a *Musaddiq* because if he was a *Musaddiq* and remained a *Musaddiq*, he would have prostrated. So in summary, so that we do not waste time – and *Subhān-Allāh*, time passes quickly – I hope that you look again into this point because it is precise from one point. And from another point, I do not know, within the boundaries of what I have leaned – **but over all those endowed with knowledge is *Al-‘Alīm* (i.e. the All-Knowing (Allāh))**¹⁸⁷ – that the ‘*Ulamā*’ (ever) differentiated between *Al-Īmān* and *Tasdīq*. And the texts which pass us – and we could forget them – and we have mentioned one of them earlier and it interchanges with *Īmān* completely: **...confirming (*Musaddiq*) the Taurāt [(Torah) which came] before me, and giving glad tidings of a Messenger to come after me, whose name shall be Ahmed.** In other words, a *Mu‘min*. So if you want to say, “No. *Musaddiq* does not mean *Mu‘min*,” then you are in need of texts from the *Kitāb* and the *Sunnah* or at least, texts from the sayings of the *Imāms* of the *Salaf*; those whom we take as our leaders. So I hope that you will look into this point again because we...as you know that the end does not justify the means. Meaning that, if we wanted from our position, to refute the *Murji‘ah* and we are mistaken in our differentiating between *At-Tasdīq* and *Al-Īmān*, it would not be except that we destroyed our homes with our own hands (i.e. we tried to rectify matters and wound up making them worse). So I hope that you will look into this point again and to collect what you are able to from the *Kitāb* and the *Sahīh Sunnah* and then from the sayings of the *Imāms*, concerning the differentiation between *At-Tasdīq* and *Al-Īmān* so that, at least, I will be able to learn what was hidden to me. Now...¹⁸⁸

¹⁸⁷ *Sūrat Yūsuf*, 76

¹⁸⁸ At this point we must jump in here and mention some points. By now it should be completely clear to the reader that Khālīd Al-‘Anbarī was totally unable to explain his position and refute the *Shaykh*, may Allāh be merciful to him, and this should be a clear demonstration of his lack of understanding and scholarship. He was asked for evidence that Pharaoh and his people had *Tasdīq* while at the same time they disbelieved, but was not able to provide it. He was asked to bring statements from the people of knowledge where they differentiated between *At-Tasdīq* and *Al-Īmān* and he was unable to explain them. He was asked to show how a person could have *Tasdīq* and yet nullify the *Īmān* and remain a *Musaddiq* and he was unable to do so. Instead, he chose to claim that the difference between his point and *Shaykh* Al-Albānī’s position was only a matter of phrasing. And after all he heard from *Shaykh* Al-Albānī, he was unable to (or chose not to) see that *Shaykh* Al-Albānī was clearly upon the school of thought of the *Murji‘ah*; those who equate *Īmān* with *Tasdīq*, those who held that *Kufr* in actions was only evidence for *Kufr* in the heart and not actual *Kufr*, and those who limited *Kufr* to be the opposite of *Tasdīq*, which is *Takthīb* of the heart. So what is clear from what has passed is that Khālīd Al-‘Anbarī had taken the position of *Ahl As-Sunnah* because of some things which he had read from Ibn Taymiyyah and Ibn Al-Qayyim, but he did not really understand the concepts which they had narrated because when he was faced with clear *Iṛjā’*, he was unable to refute it with evidence nor was he able to even recognise that this was *Iṛjā’*. And if this wasn’t Khālīd Al-‘Anbarī, who was a twister of narrations and a liar upon the ‘*Ulamā*’ – we would almost feel sorry for his pathetic display in the presence of *Shaykh* Al-Albānī. And at this point, we will do the job, which the uninformed and unqualified Khālīd Al-‘Anbarī was unable to do.

Concerning Pharaoh and his people, Allāh said:

وَجَحَلُوا بِهَا وَاسْتَيْقَنَتْهَا أَنْفُسُهُمْ ظُلْمًا وَعُلُوًّا فَانظُرْ كَيْفَ كَانَ عَاقِبَةُ الْمُفْسِدِينَ

And they rejected (*wa jahadū bihā*) them (those Ayât) wrongfully and arrogantly, though their own selves were convinced thereof (*wastayqanat’hā*) [i.e. those (Ayât) are from Allāh, and Mûsa (Moses) is the Messenger of Allāh in truth, but they disliked to obey Mûsa (Moses), and hated to believe in his

Message of Monotheism]. So see what was the end of the Mufsidūn (disbelievers, disobedient to Allāh, evil-doers, liars.). (An-Naml, 14)

So the word “*wastayqanat’hā*” was used here which is the past tense for the possessive derivative of the word “*Yaqīn*”, which means “certainty”. So Allāh has confirmed that these people had *Yaqīn* of the truthfulness of what Mūsā had come with. And this *Yaqīn* can not exist without *Tasdīq* being present as a prerequisite. And this is clear from common sense that a person could not possess any level of certainty concerning a thing which he did not even believe in, in the first place. So this *Āyah* is clear that Pharaoh and his people had *Tasdīq* and that they even had *Yaqīn* and yet Allāh negated the description of *Īmān* from them and made *Takfīr* to them, while they possessed this *Tasdīq* and *Yaqīn*. And this also means that their *Kufr* was not due to *Takthīb* because, if they possessed *Tasdīq*, then *Takthīb* could not be present as each one negates the presence of the other, according to *Ahl As-Sunnah*.

Also, the statement of Allāh:

فَمَا تَعْلَمُ إِنَّهُ لَيَحْزَنُكَ الَّذِي يَقُولُونَ فَإِنَّهُمْ لَا يُكَذِّبُونَكَ وَلَكِنَّ الظَّالِمِينَ بِآيَاتِ اللَّهِ يَجْحَدُونَ

We know indeed the grief which their words cause you (O Muhammad SAW): (*lā yukath’thibūnaka*) it is not you that they deny, but it is the Verses (the Qur’ān) of Allāh that the *Zālimūn* (polytheists and wrong-doers) deny. (Al-An’ām, 33)

So here, Allāh *Ta’āla*, has informed us that these people did not disbelieve with *Takthīb*, which is the negator of *Tasdīq*; rather they disbelieved with their rejection of his *Āyāt*. And this rejection came from their refusal to submit and obey those *Āyāt*. So it is clear that they also possessed *Tasdīq* and yet Allāh made *Takfīr* to them.

And as for the statements of the ‘*Ulamā*’ who differentiated between *Tasdīq* and *Īmān*, there are many to narrate indeed.

In his refutation of the *Murji’ah*, *Shaykh Al-Islām*, Ibn Taymiyyah, may Allāh be merciful with him, said, “***Al-Īmān* in not interchangeable with *Tasdīq* in its definition** because everyone who brings information concerning something from the apparent or the hidden; we say about him in the language, ‘*Sadaqta* (i.e. you have told the truth),’ as we might say, ‘*Kathabta* (i.e. you have lied).’ So whoever says, ‘The sky is above us,’ it is said to him, ‘*Sadaqta*’ in the same way it is said, ‘*Kathabta*’ (when he tells a lie). But the word ‘*Īmān*’; it is not used except in the cases where someone has brought information which is hidden. It is not found in the (correct) phrasing that the one who has brought information about an apparent thing such as if he were to say, ‘The sun has risen’, that he would be told, ‘*Āmannāhu* (i.e. we believed him).’ As it would be said, ‘*Sadaqnāhu* (i.e. he has spoken the truth)’ because ‘*Al-Īmān*’ is derived from ‘*Al-Amn*.’ So it (i.e. *Īmān*) is only to be used in that, which the informer is to be trusted in, such as in the hidden matters. And for this (reason) we do not see ever in the Noble Qur’ān or other than it, the phrase, ‘*Āmana lahu* (i.e. we have believed him) except in this form (i.e. except in the form where it is concerning a hidden matter).’ – “*Kitāb Al-Īmān*”, Pg. 276 or look to “*Al-Īmān Al-Awsāt*” from his *Fatāwa*, Vol. 7/71

And he, may Allāh be merciful to him, said, “**The word ‘*Al-Īmān*’ in the language is not an antonym for ‘*At-Takthīb*’ as the word ‘*At-Tasdīq*’ is (an antonym of *At-Takthīb*).** This is because, it is known in the language that every informer might be told, ‘*Sadaqta* (i.e. you have told the truth)’ or ‘*Kathabta* (i.e. you have lied).’ And it is said, ‘*Sadaqnāhu*’ or, ‘*Kathabnāhu*’. But it is not said to every informer, ‘*Āmannā lahu*,’ or, ‘*Kathabnāhu*,’ and it is not said, ‘You are a *Mu’min* towards him, or, ‘...a *Mukath’thib* towards him.’ Rather, the known thing, which opposes *Īmān* is the word, ‘*Al-Kufr*.’ It is said, ‘He is a *Mu’min*,’ or ‘...a *Kāfir*,’ and *Al-Kufr* is not limited to *Takthīb*. Rather, if he said, ‘I know that you are truthful, but I will not follow you and instead I will take you as my enemy and hate you and oppose you and will not comply with you,’ then his *Kufr* would have been greater. **So when we see that the *Kufr*, which opposes *Īmān* is not only *Takthīb*, it becomes known that the *Īmān* is not only *Tasdīq*.**” – “*Kitāb Al-Īmān*”, Pg. 277. Also, look to the meaning of *Īmān* in the Arabic language in “*Lisān Al-‘Arab*”, Vol. 3/21-27 and “*Al-Qāmūs Al-Muh’tir*”, Vol. 4/197 and “*Mukhtār As-Sihāh*”, Pg. 26 and “*An-Nihāyah*” Vol. 1/69 from Ibn Al-

Athīr, and "As-Sihāh" from Al-Jawharī and "Al-Mukhtār Min Kunūz As-Sunnah", Pg. 57 from Dr. Muhammad Abdillāh Darāz

And he said, "**And the *Kufr* of Iblīs and Pharaoh and the Jews; its *Asl* was not because of the non-existence of *Tasdīq* and knowledge.** This is because no one had informed Iblīs with any news. Rather, Allāh ordered him to prostrate to Ādam but he refused and became proud and he was from the *Kāfirīn*. So his *Kufr* was out of refusal and pride and that which comes as a result of it and not because of *Takthīb*. And also like this was Pharaoh and his people. They rejected it while their own selves were certain of it, due to wrongdoing and conceit. And Mūsā said to him: **And you have known that no one brought that down except the Lord of the Heavens and the Earth.** So what must be said here is one of two matters: (*The first is what the *Murji'ah* say): Either it is to be said that *Al-Istikbār* and *Al-Ibā'* (i.e. refusal to comply) and *Al-Hasad* (i.e. envy) and things like that, from which *Kufr* would be directly associated with the non-existence of knowledge and *Tasdīq*, which is *Īmān* (according to them). Otherwise, whoever has full knowledge and *Tasdīq*; then it would be a must for him to submit and to obey if he is able to. Just as having full intention makes it a must for him to attain his goal if he is able to. So it is known that if the goal is not achieved when the presence of ability exists, that there was no real intention in the heart (behind it). And likewise, if we do not see the result of *Tasdīq* and knowledge from the love in the heart and its obedience, this would indicate (according to their thinking) that what exists in the heart is not *Tasdīq* and it is not knowledge. Rather, there is misunderstanding and doubt. **And this is exactly like the groups have stated and it is the *Asl* of the saying of Jahm and As-Sālihi and Al-Ash'arī in what is famous from him and most of his companions such as the Al-Qādhī Abī Bakr and those who followed him from the ones who consider the apparent and hidden actions from the product of *Īmān* and not it (i.e. *Īmān*) itself. And they considered from those things, that *Īmān* is non-existent when they are non-existent to be from the pre-requisites of *Tasdīq*, which they do not consider possible for *Tasdīq* to be present internally while *Kufr* exists, ever."** – "*Al-Īmān Al-Awsat*" from "*Majmū' Al-Fatāwa*", Vol. 7/534-535

When we first came across these words of *Shaykh Al-Islām*, during our research for this project, we wanted to be certain about the entire meaning of what Ibn Taymiyyah intended with his words. So we telephoned *Shaykh* Sulaymān Ibn Nāsir Ibn 'Abdillāh Al-'Ulwān to have him go over the text of the words and he asked us what page number we were quoting from and read it along with us and gave an explanation which went as follows:

"In these words, Ibn Taymiyyah, may Allāh be merciful to him, refutes the *Ghulāt Al-Murji'ah* and *Jahmiyyah*; those who say that the *Kufr* *Al-'Amalī* can not exist without *Takthīb* or *Al-Ibā'* or *Al-Istikbār* or *Al-I'tiqād*. So the *Shaykh*, may Allāh be merciful to him, makes clear that (the one who) leaves what the Messenger صلى الله عليه وسلم came with, disbelieves due to this *Kufr*, even if he is a *Musaddiq*. With lots of evidence and from it was the *Kufr* of Abī Tālib, because he was a *Musaddiq*; however his *Kufr* was due to his adherence to his people and not because of the absence of *Tasdīq*. And like that, he (i.e. Ibn Taymiyyah) said that the *Kufr* of Iblīs was not due to the absence of *Tasdīq* and knowledge because Iblīs was knowledgeable with the evidence of His, *Ta'āla's* saying: **[Iblīs (Satan)] said: "By Your Might, then I will surely mislead them all."** (*Sād*, 82) And with the evidence of his *Tasdīq* that he said: **"Give me then respite till the Day the (dead) are resurrected."** (*Sād*, 79) and this indicates that he was *Musaddiq*. And he was from the angels from before, according to an opinion of a group of the '*Ulamā'* and according to another saying; that he was from the Jinn but from the close Jinn (to Allāh): **...except Iblīs (Satan). He was one of the jinns; he disobeyed the Command of his Lord.** (*Al-Kahf*, 50) He (i.e. Ibn Taymiyyah) says, 'This is because no one had informed Iblīs with any news. Rather, Allāh ordered him to prostrate to Ādam but he refused and became proud...' meaning that his *Kufr* was due to his avoidance of obedience and *Istikbār* and not due to the absence of *Tasdīq* or knowledge as the people of *Irjā'* and the *Jahmiyyah* and others claim; those who do not make *Takfīr* because of the abandonment of all the actions. The *Shaykh* wanted to make it clear that abandoning the *Jins Al-'Amal* (i.e. the category of actions) is *Kufr* the evidence is His, *Ta'āla's* saying: **And they rejected (*wa jahadū bihā*) them...** – in other words, 'Pharaoh and his people' – **...wrongfully and arrogantly, though their own selves were convinced thereof (*wastayqanathā*)...** So here, the *Yaqīn* was not sufficient (...words unclear...) So it is a must that he acts – meaning that he completes the *Wājibāt* (i.e. obligatory duties) and leaves the nullifications (of *Islām*). So if

he is a *Musaddiq* in that Allāh is The Truth, and that the Messenger صلى الله عليه وسلم is the truth and yet he still did not follow him (i.e. the Prophet): Say (O Muhammad صلى الله عليه وسلم to mankind): **"If you (really) love Allāh then follow me, Allāh will love you..."** (*Āl 'Imrān*, 31) For instance, if he does not pray or fast or pay the *Zakāt* or make *Hajj*, then he is leaving the *Jins Al-'Amal* (i.e. category of actions) and this one is a *Kāfir*. Or if he does not rule with the legislation of Allāh, so that he rules with the fabricated laws, this one is a *Kāfir*. Even if he says that the Messenger is the truth and that Allāh is *Al-Khāliq* (i.e. The Creator) and *Ar-Rāziq* (i.e. The Sustainer) and *Al-Mudabbir* (i.e. the Controller of all Affairs), but this is (only) *Tawhīd Ar-Rubūbiyyah*. Or if he believes that Allāh is the only One whom it is *Wājib* to single out for worship and yet this one only believes and it is not sufficient, just like if a man said or if a man worships an idol and says, 'I know that Allāh is the one who brings benefit or harm,' and yet he continues to worship that idol, then this one is a *Kāfir*. And even if he says, 'I do not believe about this thing (i.e. the idol), such-and-such.' The action on its own is *Kufr*. That is why Ibn Taymiyyah, may Allāh be merciful to him, says concerning His, *Ta'āla*'s saying: **And you have known that no one brought that down except the Lord of the Heavens and the Earth.** He said, 'So what must be said here is one of two matters: (*The first is what the *Murji'ah* say): Either it is to be said that *Al-Istikbār* and *Al-Ibā'* (i.e. refusal to comply) and *Al-Hasad* (i.e. envy) and things like that, from which *Kufr* would be directly associated with the non-existence of knowledge and *Tasdiq*, which is *Īmān* (according to them). Otherwise, whoever has full knowledge and *Tasdiq*; then it would be a must for him to submit and to obey if he is able to. Just as having full intention makes it a must for him to attain his goal if he is able to. So it is known that if the goal is not achieved when the presence of ability exists, that there was no real intention in the heart (behind it). And likewise, if we do not see the result of *Tasdiq* and knowledge from the love in the heart and its obedience, this would indicate that what exists in the heart is not *Tasdiq* and it is not knowledge.' In other words, true *Tasdiq* – because of the true *Tasdiq*; the results of it are the actions of the body. So the true *Mu'min* who believes that there is Heaven and Hell; (ordinarily) it is a necessity for him to act, however his desires might overtake him. As Allāh *Jalla Wa 'Alā* said, concerning the *Kuffār*: **That is because they loved the life of this world over that of the Hereafter.** So Allāh, *'Azza Wa Jall*, informed the reason for the *Kufr* was their preferring the life of this world over that of the Hereafter. And this might happen with weak *Tasdiq* or with a deficiency in knowledge. But tying this in with the (complete) absence of *Tasdiq* and knowledge; it is like Ibn Taymiyyah has said, "...it is the *Asl* of the saying of *Jahm* and *As-Sālihī* and *Al-Ash'arī* in what is famous from him and most of his companions such as the *Al-Qādhī Abī Bakr* and those who followed him from the ones who consider the apparent and hidden actions from the product of *Īmān* and not it (i.e. *Īmān*) itself."

*And what is quite interesting is that during my correspondence with that individual from www.salafipublications.com, he said, "But as for what you have stated above, then, Allāh knows best, but that meaning seems alien to the well known definitions of *Imān* amongst the *Murji'ah*. What we understand to be *Irjā* is what is reported in the statements of the Salaf and those of Shaykh ul-Islām in his *Kitāb ul-Imān*." Yet all I have narrated from Shaykh *Al-Islām*, Ibn Taymiyyah, may Allāh be merciful to him, in his refutation of the *Murji'ah*, has been from "*Kitāb Al-Imān*", whether the separate extracted book or what is found in "*Kitāb Al-Imān Al-Awsat*" from his *Fatāwa*. So this clearly demonstrates how www.salafipublications.com does not even know the reality of what Ibn Taymiyyah has mentioned in the very book they insisted that I use to define *Irjā*'. Also, www.salafipublications.com has quoted the following statement from Shaykh *Al-Albānī*, may Allāh be merciful to him in each edition of "The 'Anbarī Papers':

And Shaikh ul-Islām Ibn Taymiyyah has explained the perspective from which faith, *Imān*, consists of actions, and that it increases and decreases - [his discussion] needing no further elaboration - in his book '*al-Imān*'. So the one who requires more detail can refer back to it. **I say: This is what I used to write for more than twenty years, affirming the madhhab of the Salaf and the aqidah of Ahl us-Sunnah - and all praise is due to Allāh - in the issues pertaining to Imān, and then there come - in the present times - reckless ignoramuses, who are but young newcomers accusing us of Irjā!! To Allāh is the complaint of the**

evil that they are upon, of ignorance, misguidance and scum..." –Imām al-Albani, Casette: Fitnat ul-Asr, second side of first tape.

And yet, even in the face of such harsh words of Shaykh Al-Albānī, may Allāh be merciful to him, what we have presented from *Shaykh Al-Islām's* "*Kitāb Al-Īmān*" clearly demonstrated that what the *Shaykh* was upon in the matters of *Īmān* and *Kufr* was in fact the very *Irjā'* that Ibn Taymiyyah refuted in this very book, which *Shaykh* Al-Albānī mentioned above.

And at this point, we shall narrate some of the statements of the well-known personalities of *Irjā'* from the past and we urge the reader to examine them and compare them to what they have read in the conversation between Khālid Al-'Anbarī and *Shaykh* Al-Albānī, may Allāh be merciful to him.

Ibn Hazm, may Allāh be merciful to him, said, "But as for the *Ashā'irah*, they have said, 'Verily, the one who shows *Islām* (externally); his swearing at Allāh, *Ta'āla* and His Messenger, with the worst profanity and utters his disbelief in them upon his tongue not due to *Tuqyah* (i.e. fear of death or torture etc.) and not merely through narration (i.e. reporting the words of another) and his confirming that he believes in that – nothing from that is *Kufr* (itself). **But then when they feared the attack of the people of Islām against them, they said, 'Rather, it is evidence that there is *Kufr* in his heart.'**" – "*Al-Fisal Fī Al-Milali Wal Ahwā'i Wan-Nihal*", Vol. 5/75

So this was the *Irjā'* of the *Ashā'irah* and this is further explained by the words of Abūl-Hasan Al-Asha'rī himself who said, "So if a questioner says to us, 'What is *Īmān* in Allāh *Ta'āla*, according to you?' It is said to him, '**It is *Tasdiq* in Allāh** and for that, the people of the language which the *Qur'ān* was revealed in, have made *Ijmā'*.' So when the *Īmān* according to the language, which the *Qur'ān* was revealed in, is *Tasdiq*, He *Ta'āla* said: **...but you will never believe us even when we speak the truth.**" (*Yūsuf*, 17) In other words, '...a *Musaddiq* in us...' And they all said that so-and-so believes in us. And they all said that so-and-so believes in the punishment of the grave and the intercession. And they mean that he has *Tasdiq* in them, **so it is necessary that *Īmān* would be what *Īmān* is, according to language and that is *At-Tasdiq*.**" – "*Al-Lamā'*", Pg. 123 from Abūl-Hasan Al-Ashārī. Also, look to a similarly worded statement in "*At-Tamhīd*", Pg. 346-347 by Al-Baghdādī who was a known *Murjī'*.

And Abūl-Mu'īn An-Nasafī said, "***Īmān* in the language is another word for *At-Tasdiq*. So anyone who has had *Tasdiq* in other than him is called –according to language, '...a *Mu'min* in him,' and, '...a *Mu'min* towards him.**' Allāh, *Ta'āla* said – informing about the brothers of Yūsuf, may the mercy and blessings of Allāh be upon them: **...but you will never believe us even when we speak the truth.**" (*Yūsuf*, 17) In other words, '...a *Musaddiq* towards us.' Then this matter in the language – and it is the *Tasdiq* in the heart – it is the actualisation of *Īmān*, which is *Wājib* upon the slave and it is the right of Allāh *Ta'āla*. And that is that he has *Tasdiq* in the Messenger صلى الله عليه وسلم in what he has come with from Allāh *Ta'āla*. So whoever has this *Tasdiq*, then he is a *Mu'min* concerning what is between him and Allāh *Ta'āla*. And the affirmation (i.e. the *Shahādatayn*) is an affirmation, which is needed for the creation to recognise him (as a Muslim) and implement upon him, the laws of *Islām*. This is what was narrated from Abī Hanīfah, may Allāh be merciful to him, and to that (same opinion) went the *Shaykh* Abūl-Mansūr Al-Māturīdī, may Allāh be merciful to him, and it is the most authentic of the two narrations from Abī Al-Hasan Al-Asha'rī." – "*At-Tamhīd*", Pg. 99-100

And this is a lie upon *Imām* Abī Hanīfah because he did not merely consider the declaration of the *Shahādah* to be necessary for the slave to be "recognised" as a Muslim. Rather, he considered it to be a condition for the *Īmān* because he believed that actions of the body were evidence for the *Īmān* on the inside and if there was no evidence upon the outside, then there would be no *Īmān*. And this was one of the principals of the *Murjī'at Al-Fuqahā'*, which we have explained in the introduction. However, An-Nasafī has attempted to attribute Abī Hanīfah to the *Ghulāt Al-Murjī'ah* and the *Māturīdiyyah* as he himself was from them.

Khālid Al-'Anbarī: (Interrupting) I still see that the difference is in the phrasing and recite upon you the saying of Allāh: **Those to whom We have given the Scripture (Jews and Christians) recognise him (i.e. Muhammad ṣaw as a Messenger of Allāh, and they also know that there is no *Ilah* (God) but Allāh and Islām is Allāh's Religion), as they recognise their own sons.** So our Lord, *Tabāraka Wa Ta'āla*, made *Takfīr* to them while they were '*Ārifīn* concerning the truthfulness of the Messenger صلى الله عليه وسلم. And here are some words from Ibn Al-Qayyim who said, "Whoever thinks about the *Qur'ān* and the *Sunnah* and the lives of the Prophets in their nations and their *Da'wah* to them and what happened to them with them, he will totally see the mistake of *Ahl Al-Kalām* – and from them were the *Murji'ah* in what they have said and they would know that the general *Kufr* of the nations was with *Yaqīn* and knowledge and with *Ma'rifah* of the truthfulness of their Prophets." The words of Ibn Al-Qayyim have concluded, may Allāh be merciful to him.

Shaykh Al-Albānī: This is what I said earlier...and you agreed with me...

Khālid Al-'Anbarī: (Interrupting) That is why I'm saying that the difference is (only) in phrasing...

Shaykh Al-Albānī: ...that the *Ma'rifah* could join with *Īmān* and it might not.

Khālid Al-'Anbarī: Ok. I say, O *Shaykh*, may Allāh bless you...If I back away from the word of *Tasdīq* and I said, "Verily, Iblīs after he did not obey the order of our Lord, *Tabāraka Wa Ta'āla*, Allāh, '*Azza Wa Jall* made *Takfīr* to him. And he knew after his *Kufr* that Allāh was True and that what he was ordered with was a must ... (unclear) ...from him. And he knew the Truthfulness of Allāh, '*Azza Wa Jall* and the truth of what he was ordered to do. So we will leave the word of *Tasdīq* and exchange it with *Ma'rifah*. And we will also say the people of Mūsā – when they disbelieved in him – they used to *Ya'lamūn* and *Ya'rifūn* (i.e. know and know) that he was truly the Messenger of Allāh. And even with that, our Lord, *Tabāraka Wa Ta'āla*, made *Takfīr* to them. So the *Kufr* is not specified to the *Takthīb* in the heart. So what is your opinion concerning this saying?

Shaykh Al-Albānī: (Inaudible) ...I said *Al-Ma'rifah* does not necessitate *Īmān* and right now you have not added to that. It is the same whether it was when you brought the

And he was Abūl-Mu'īn Maymūn Ibn Muhammad Ibn Mak'hūl An-Nasafī. "And he was from the most well-known individuals from the school of thought of Al-Māturīdī himself." – Look to "*Sīr A'lām An-Nubalā'*", Vol. 7/341 and "*Hadī'yat Al-'Ārifīn*", Vol.2/487

example of Iblīs or with Pharaoh. We are in agreement that *Īmān* joins *Ma'rifah* and not the opposite but *Al-Ma'rifah* does not (necessarily) join *Īmān*.

Khālīd Al-'Anbarī: Yes.

Shaykh Al-Albānī: So we are in agreement in that.

Khālīd Al-'Anbarī: That is why I am saying that the difference is (only) in the phrasing...

Shaykh Al-Albānī: (Interrupting) Excuse me...

Khālīd Al-'Anbarī: Oh, yes.

Shaykh Al-Albānī: The difference is in the phrasing in this point but concerning what you are saying that *Tasdīq* is other than *Īmān* and you make *Tasdīq* as if it were interchangeable with *Al-Ma'rifah* – here there is an actual difference, not a difference in phrasing.

End of excerpt.

So Al-'Anbarī saw with his own eyes the clear *Irjā'* during his interview with *Shaykh Al-Albānī*, may Allāh be merciful to him and yet he is now claiming that the label of *Irjā'* with the *Shaykh Al-Albānī* is a "lie" and a "scandalous *Irjā'*." And this either means that he was ignorant of what *Irjā'* is and what necessitates its label or he is just a liar who has attempted to make himself the champion who would defend *Shaykh Al-Albānī* from accusations of people who he claims are "liars".¹⁸⁹ And thus, Khālīd Al-'Anbarī and

¹⁸⁹ Concerning the recent addition of www.salafipublications.com and their quotation of *Shaykh Muhammad Ibn Sālih Al-'Uthaymīn* in which he was asked:

Question: "The questioner asks that some people say that *Shaykh Al-Albānī* – may Allāh be merciful to him – his position on the issues of *Īmān* is that of the *Murji'ah*. What is your view on this?"

Answer: The *Shaykh* paused for a while, remaining silent and then replied, "...I say, just as one who has preceded has said, 'Al-Albānī is a scholar, a *Muhaddith*, a jurist – even if he is greater in being a *Muhaddith* than a jurist – and I do not know of any of his statements which indicate *Irjā'*, ever. However, it is those who want to perform *Takfīr* of people, they are the ones who accuse him and those like him of being *Murji'ah*, and this action of theirs is by way of ascribing evil names [to him]. I testify for *Shaykh Al-Albānī* – may Allāh be merciful to him – with uprightness, a sound creed, and good intention..." (Look to Article ID: MSC060001 on www.salafipublications.com)

So the crucial portion of this text is in its middle: "...and I do not know of any of his statements which indicate *Irjā'*..." And so *Shaykh Ibn Al-'Uthaymīn* has not heard any of the statements of *Irjā'* from *Shaykh Al-Albānī* and this clarifies his next statement, "However, it is those who want to perform *Takfīr* of people, they are the ones who accuse him and those like him of being *Murji'ah*, and this action of theirs is by way of ascribing evil names (to him). I testify for *Shaykh Al-Albānī* – may Allāh be merciful to him – with uprightness, a sound creed, and good intention..." And since we have no knowledge of *Shaykh Ibn Al-'Uthaymīn* seeing the types of statements from *Shaykh Al-Albānī*, which we have narrated previously, then it is understandable that *Shaykh Ibn Al-'Uthaymīn* would say this because it is well-known that *Shaykh Al-*

Albānī has always been attacked by his opponents such as the *Hizb At-Tahrīr* and the *Ikhwān Al-Muslimīn* and the various *Sūfī* orders etc. And it is also true that these same groups have labelled the Noble *Shaykh* with evil names. But we must clarify two things here:

1. We are not labelling *Shaykh* Al-Albānī with the label of *Murjī'ī*, rather we have said that his statements are the statements of *Irjā'* or that these statements are the sayings of the *Murjī'ah*. And this is an important distinction. Just as we do not label everyone who says a statement of *Kufr* as a *Kāfir* or everyone who performs an act of *Bid'ah* to be a *Mubtadi'*. And the principles and rules which govern how to determine if a particular individual is outside of *Ahl As-Sunnah* are quite extensive and encompassing and it is not our intention to discuss this here.
2. Also, it is true that the *Khawārij* have indeed labelled *Shaykh* Al-Albānī with the label of *Murjī'ī* because of his negligence in making *Takfīr*, which highlighted their own extremist *Manhaj* and the falsehood of their *Ifrāt* (i.e. going too far) in the matters of *Īmān*, *Kufr* and *Takfīr*. And this opposition led them to attack the Noble *Shaykh* with insulting labels without taking into account the principles of *Ahl As-Sunnah*. And indeed all it takes to make the *Khawārij* call an individual a "*Murjī'ī*" is for that person to say, "We don't automatically call a person a *Kāfir* for performing major sins." And may Allāh protect the *Ummah* from this extremism and foolishness. And with this explanation, we must understand the statement of Ibn Al-'Uthaymīn: "However, it is those who want to perform *Takfīr* of people, they are the ones who accuse him and those like him of being *Murjī'ah*, and this action of theirs is by way of ascribing evil names (to him)."

And concerning the second narration from *Shaykh* Ibn Al-'Uthaymīn in which he has said, "Whoever accused *Shaykh* Al-Albānī of *Irjā'* has erred. Either he is one who does not know Al-Albānī or he is one who does not know *Irjā'*. Al-Albānī is a man from *Ahl us-Sunnah* – may Allāh have mercy upon him – a defender of it, and an *Imām* in *Hadīth*. We do not know of anyone who has surpassed him in our time. However, some people – and we ask Allāh's pardon – have jealousy in their hearts. For when (one of them) sees that a person has been met with acceptance (by the people), he begins to find fault with him on account of something, just like the hypocrites, those who used to defame those believers who would give freely in charity – and those (i.e. hypocrites) who would find nothing but the striving of (the believers). So they would defame the one who would give charity in Abundance, and also the poor person who would give charity! We know the man from his books, may Allāh be merciful to him, and I know him from sitting with him on occasions. He is *Salafī* in '*Aqīdah*, of sound *Manhaj*. However some people desire to perform *Takfīr* of the servants of Allāh on account of something that Allāh did not perform *Takfīr* of them. Then they claim that whoever opposes them in this *Takfīr* is a *Murjī'ī* – a lie, slander, and mighty fabrication." (Article ID : MSC060005)

So again, it is clear that the words of *Shaykh* Ibn 'Uthaymīn are directed towards the *Khawārij*; those who make *Takfīr* for major sins and these words are also directed to those who have labelled *Shaykh* Al-Albānī as a *Murjī'ī* out of jealousy and contempt and not due to the principles of *Ahl As-Sunnah* and this is very clear from the words: "However some people desire to perform *Takfīr* of the servants of Allāh on account of something that Allāh did not perform *Takfīr* of them. Then they claim that whoever opposes them in this *Takfīr* is a *Murjī'ī*." So those who "...desire to perform *Takfīr* of the servants of Allāh on account of something that Allāh did not perform *Takfīr* of them..." are the *Khawārij* and those who "...claim that whoever opposes them in this *Takfīr* is a *Murjī'ī*..." are the various deviated groups such as the *Khawārij* and other than them who have attacked *Shaykh* Al-Albānī unjustly and have taken the just and honest criticisms of *Shaykh* Al-Albānī from the scholars of *Ahl As-Sunnah* and used these criticisms to attack and revile him and label him as a *Murjī'ī* without investigation and not in the interest of preserving the '*Aqīdah* of *Ahl As-Sunnah*, but rather to blemish his reputation as a great scholar while appearing to act as the defenders of *Al-Islām* and its creed. (And in this regard, we see the same type of behaviour from www.salafipublications.com themselves. In fact they are both two partners in this deception on opposite sides of the same coin. And may Allāh protect us from that!) And it is clear from the two quotations which www.salafipublications.com have narrated from *Shaykh* Ibn Al-'Uthaymīn are directed to those groups of extremism and *Ifrāt* in matters of *Takfīr* and those who have labelled him as a *Murjī'ī* and we have not done either of these two things in this project. Rather, we have defined *Irjā'* (in the beginning) linguistically and

www.salafipublications.com have both exposed their deceit and ignorance and partisanship. And we seek refuge in Allāh from that.

Eliminating Particular Elements From Someone From the Groups of Innovation Does Not Entirely Free Him From Being Described With Their Characteristics

And throughout the remainder of "The 'Anbarī Papers: Part 4", Khālid Al-'Anbarī continues to twist the words of the scholars and brings statements which appear to clear the label of *Irjā'* from anyone as long as they say that *Īmān* increases and decreases, thus attempting to prove that as long as a person holds that *Īmān* increases and decreases, then that person could not possibly hold any beliefs of the *Murji'ah*. And our response to these statements brought by Khālid Al-'Anbarī and www.salafipublications.com is that although it is true that this was the general belief of the *Murji'ah*, *Irjā'* can not be limited to this alone. And just as the *Jahmiyyah* are generally known to hold that the *Qur'ān* is a creation of Allāh and not His actual words, this does not mean that the beliefs of the *Jahmiyyah* can be limited to this one aspect of what the *Jahmiyyah* believed. And just as we might find examples of where the scholars have cleared the general label of the general masses by verifying that they are free from the pillars of that particular group, these statements can not be used as the whole definitive description of all the different beliefs of a particular group.

Again, we look to www.salafipublications.com for proof, which stands against them. We find in Article ID: NDV070002 the following: "Alī Ibn Al-Madīnī - the teacher of *Imām* Bukhārī - said: "When someone says so and so is an anthropomorphist (*mushabbih*) we come to know he is a *Jahmī*." [Sharh Usūl Al-'Itiqād (no.306)] However, we also read in Article ID: AQD070018, "*Imām* Ahmad said: "Whoever says that his speech of the *Qur'ān* is created, meaning the *Qur'ān* [is created], then he's a *Jahmī*."

So here are two descriptions of what indicates a *Jahmī* which are separate and distinct and this is because there is much more to the *Jahmiyyah* than their views about the *Qur'ān* being the creation of Allāh rather than His actual Speech. And we have already explained the *Irjā'* of the *Jahmiyyah* in our earlier discussion in this project.

So even though, Khālid Al-'Anbarī narrates statements such as, "*Imām* Al-Barbahārī said: **Whoever says, 'Īmān is speech and action, it increases and decreases' has left *Irjā'*, all of it, both its beginning and its end**".¹⁹⁰ This does not limit the definition of

in the context of the *Sharī'ah* and we have also aided our explanations with the statements of the *Salaf* and the '*Ulamā* of *Ahl As-Sunnah* and we have brought the explanations and refutations against *Irjā'* from the '*Ulamā* and these statements from them are not ambiguous or unclear and free from twisting just as the quotations from *Shaykh* Al-Albānī himself are not twisted or otherwise perverted from their context, *Inshā' Allāh*.

¹⁹⁰ "*Sharh us-Sunnah*", Pg.132

Irjā' to this one pillar of their beliefs, although it is generally understood to be the essence of their deviation. Rather, this is a general ascription of this main concept to the masses of the *Murji'ah*. And as we have established in our earlier description of the *Murji'ah* and their categories and descriptions, one aspect of *Irjā'* is to separate actions from *Īmān*. And there is no difference between separating actions from *Īmān* and separating actions from *Kufr*.

The Claim That 'Ruling by Other Than What Allāh Revealed' Without Wilful Denial is Not Major Shirk

In "The 'Anbarī Papers: Part 5", Khālīd Al-'Anbarī continues to bicker to the Permanent Committee about the *Fatāwa* of *Shaykh* Ibn Bāz, may Allāh be merciful to him, and reminds them of their own *Fatāwa*, which concurred with it. And then he adds statements of the *Salaf* about the *Āyah*:

وَمَنْ لَمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

"And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*."

...which indicate that this *Āyah* is not to be held upon the rulers unless it is accompanied by wilful denial. And we have already addressed this issue on Pg. 45-62 of this project so refer to that for a refresher if necessary. But then Al-'Anbarī says:

"The purpose of this research is [to show] that the people of disbelief, kufr, and wilful denial, 'inad, are intended by these verses. And that even though the wording used is general, nevertheless, the Muslims are excluded from them. This is because abandoning ruling [by other than what Allāh has revealed] accompanied with belief in its basis, *Asl*, is something that is not considered Shirk. And the Most High stated: **Verily! Allāh forgives not (the sin of) setting up partners in worship with Him, but He forgives the sins of whom he pleases which are less than that.** [Nisā 4:116] Abandoning ruling [by what Allāh has revealed] is not Shirk, **by unanimous agreement, ittifaq**, hence it is permissible that it can be forgiven. But since disbelief, kufr, cannot be forgiven, then it follows that abandoning ruling [by what Allāh has revealed] is not kufr [that expels from the religion]."

And with this narration from *Imām* Al-Qurtubī, Al-'Anbarī attempts to demonstrate that a ruler who engages in *At-Tashrī' Al-'Ām* (i.e. General Legislation) is not guilty of *Shirk*. However, this is not what Al-Qurtubī said. Al-Qurtubī refers only to the absence of applying the *Hukm*. He has not mentioned anything about the ruler who replaces the *Hukm* of Allāh with his own fabricated *Sharī'ah*.

However, the ruler who rules by other than what Allāh revealed, in the sense that he replaces the clear *Islāmic Sharī'ah* with the laws of his own desires; this is certainly *Shirk*. In fact it is the clearest form of *Shirk* with respect to the act of ruling by other than what Allāh revealed itself.

Allāh, the Most High said:

اتَّخَذُوا أَحْبَارَهُمْ وَرُهَبَانَهُمْ أَرْبَابًا مِنْ دُونِ اللَّهِ

They (Jews and Christians) took their rabbis and their monks to be their lords besides Allāh (by obeying them in things, which they made lawful or unlawful according to their own desires without being ordered by Allāh) ¹⁹¹

Muhammad Al-‘Amīn Ash-Shanqītī said in his *Tafsīr* of the above *Āyah*, “And since the legislation and all of the laws, whether they are from the *Sharī’ah* or *Qadr* laws, they are from the specific characteristics of *Rubūbiyyah*, like the aforementioned *Āyāt* indicate. **Based upon that, anyone who follows a legislation other than the legislation of Allāh; then he has taken that legislator as a Lord and has associated him with Allāh.**” ¹⁹²

And we see that *Imām* Ash-Shanqītī did not differentiate between the ruler who himself, replaces the *Sharī’ah* with his own fabricated laws and the one who obeys the ruler who legislated these laws. And this is made clear from other statements of his, may Allāh be merciful to him:

For example: “As for the legislative institutions, which contradict the legislation of the Creator of the Heavens and the Earth; then judging with these is *Kufr* in the Creator of the Heavens and the Earth. Such as saying that the preference of the males over the females in the inheritance is unjust and that it should be that they are equal in inheritance and like the saying that polygamy is *Thulm* and that divorce is *Thulm* against the women and that stoning and cutting off the hand and things like this are barbaric acts which should not be carried out against the people and things like that. **So ruling by institutions such as these upon individuals and the society and their wealth and their property and minds and *Dīn* is *Kufr* in the Creator of the Heavens and the Earth and it is a rebellion against the law of the Heavens, which was given by the Creator of all the creation and He, *Subhānahu Wa Ta’āla*, is more knowledgeable of the benefits towards His creation than to have another legislator along with Him!** ‘And do they have partners who have legislated in the *Dīn* what Allāh did not give permission for?’^{193, 194}

And so it becomes clear from the words of *Imām* Ash-Shanqītī, may Allāh be merciful to him, in which he said, “...He, *Subhānahu Wa Ta’āla*, is more knowledgeable of the benefits towards His creation than to have another legislator along with Him,” that this *Shirk* and *Kufr* fall upon the ruler himself and not only upon those who have taken him as a partner with Allāh, the Most High. And this is because he has included the “legislator” along in the description of the *Āyah*, which follows these words, and not merely those who take the *Hukm* to him.

About this same *Āyah*, (i.e. from *Sūrat At-Tawbah*) *Shaykh* Abdur-Rahmān Ibn Hasan Āl Ash-Shaykh said, “So it is made clear with this, that the *Āyah* proves that whoever obeys other than Allāh and His Messenger and turns away from taking from the Book and the *Sunnah*, concerning making *Halāl* what Allāh made *Harām* or making *Harām* what Allāh

¹⁹¹ *Sūrat At-Tawbah*, 31

¹⁹² “*Adhwā’ Al-Bayān*,” Vol. 7/169

¹⁹³ *Sūrat Ash-Shūrā*: 21

¹⁹⁴ “*Adhwā’ Al-Bayān*,” Vol. 4/85

made *Halāl* or obeys him in the disobedience of Allāh and follows him in what Allāh did not give permission for, **then he has taken him as a lord and something worshipped and made him a partner with Allāh** and that contradicts the *Tawhīd*, which is the *Dīn* of Allāh that the words of *Ikhlās*: *La Ilāha Illā Allāh*, have indicated. (This is) because the *Ilāh* is the thing, which is worshipped, and Allāh *Ta'āla* labelled their obedience as worship towards them and called them lords. Like He, *Ta'āla* said: '**And He does not order you to take the angels and the Prophets as lords...**' In other words, '...as partners with Allāh in His worship...' – '**Does He order you to do *Kufr* after you were Muslims?**' **And this is the *Shirk* because anything which is worshipped is a Lord and all things, which are obeyed or followed concerning other than what Allāh or His Messenger have legislated, then he has been taken by the obedient one or the follower as a Lord and a thing to be worshipped.** Like He *Ta'āla* said in *Sūrat Al-An'ām*: '**And if you obeyed them, then you are *Mushrikūn*.**' And this is the meaning of this *Āyah* and like this *Āyah* in meaning is His, *Ta'āla*'s saying: '**And do they have partners who have legislated in the *Dīn* what Allāh did not give permission for?**' And Allāh knows best."¹⁹⁵

And again we see that the words of the grandsons of *Shaykh Al-Islām*, Muhammad Ibn Abdul Wahhāb, may Allāh be merciful to him, are not limited to the ones who obey those who rule by other than Allāh revealed. And this is made clear from the writings and letters collected and compiled from the '*Ulamā*' of *Najd*:

“Abdul-Latīf Ibn Abdur-Rahmān Ibn Hasan Ibn Muhammad Ibn ‘Abdul Wahhāb was asked concerning what the Bedouins judge with according to the customs of their fathers and grandfathers. ‘Do we label them with *Kufr* after it is made clear to them (that this is not permissible and when they continue)?’ **So he answered, ‘Whoever takes the judgement to other than the book of Allāh and the *Sunnah* of His Messenger ﷺ after it is made clear to him (that this is not permissible), then he is a *Kāfir*.** He, *Ta'āla* said: ‘And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*.’ ‘Do they seek other than the religion of Allāh?’ ‘Have you seen those (hypocrites) who claim that they believe in that which has been sent down to you, and that which was sent down before you, and they wish to go for judgement (in their disputes) to the *Tāghūt* (false judges, etc.) while they have been ordered to reject them. But *Shaitān* (Satan) wishes to lead them far astray.’ And the *Āyāt* with this meaning are many.”¹⁹⁶

And so it is made clear from the context of the question that the *Shaykh*, may Allāh be merciful to him, held this *Kufr* upon the Bedouins who were the rulers in this case and not just upon the people who chose to take the *Hukm* to them.

And concerning the statement of Allāh, the Most High:

¹⁹⁵ “*Fat’h Al-Majīd*”, Pg. 110-111 Published by “*Dār Al-Fikr*”

¹⁹⁶ “*Ad-Durur As-Siniyah Fī Al-Ajwibah An-Najdiyyah*”, Vol. 8/231 Published by “*Dar Al-Iftā’ Bis-Sa’ūdiyyah*” 1385 H

إِنَّ هَذَا الْقُرْآنَ يَهْدِي لِلَّتِي هِيَ أَقْوَمُ وَيُبَيِّنُ الْمُؤْمِنِينَ الَّذِينَ يَعْمَلُونَ الصَّالِحَاتِ أَنَّ لَهُمْ أَجْرًا كَبِيرًا
Verily, this Qur'ān guides to that which is most just and right and gives glad tidings to the believers (in the Oneness of Allāh and His Messenger, Muhammad صلى الله عليه وسلم, etc.). who work deeds of righteousness, that they shall have a great reward (Paradise).¹⁹⁷

Muhammad Al-'Amīn Ash-Shanqītī said, "And from the guidance of this *Qur'ān* to the ones who are more worthy is its making clear that whoever follows a legislation other than the legislation of the Master of the Children of Adam, Muhammad Ibn 'Abdillāh صلى الله عليه وسلم, then his following of that opposing legislation is a clear *Kufr*, which takes one outside the *Millah* of *Islām*. And when the *Kuffār* said to the Prophet صلى الله عليه وسلم, 'When the sheep dies, who kills it?' So he said to them, 'Allāh killed it.' So they said, 'What you have slaughtered by your hand is *Halāl* but what Allāh slaughtered by His Hand, you say it is *Harām*.' So then you are better than Allāh?! Allāh sent down concerning them His saying: **'Do not eat from that which Allāh's Name has not been uttered upon it and that is *Fisq* and verily, the *Shaya'tīn* revealed to their *'Auliya*h to argue with you and if you obey them, you would be *Mushrikun*.'** And when there was no letter ف (i.e. 'Fa') in His saying, **'...you would be *Mushrikun*,**' this indicates that there is an unmentioned oath. (And here the *Shaykh* proved this rule by bringing verses of Arabic poetry, which we have not bothered to translate here.) And it is an oath by Allāh, *Jalla Wa 'Alā*, that whoever follows the *Shaytān* in making *Halāl*, the dead meet, **then he is a *Mushrik* and this is a *Shirk*, which takes one outside the *Millah* with the *Ijmā'* of the *Muslimīn*.** And Allāh will address the one who commits this on the Day of Judgement with His saying: **'Did I not take an oath from you O Children of Adam, to not worship the *Shaytān*? Verily, to you he is a clear enemy.'** (This is) because obeying him in his legislation, which opposes the revelation is worshipping him. He *Ta'āla* said: **'Verily, they only make *Du'a* to other than him to females. And they only make *Du'a* to the *Shaytān*.'** In other words, '...they do not worship anything but the *Shaytān* and that comes from them following the legislation. And He said, **'And like that was made to appear good to many of the *Mushrikīn* to kill their children by their partners – till the end of the *Āyah*.'** **So He called them partners because they obeyed them in the disobedience of Allāh *Ta'āla*.** And He said about His *Khalīl* (i.e. Ibrāhīm صلى الله عليه وسلم): **'O my father, do not worship the *Shaytān* – until the end of the *Āyah*.'** In other words, '...by obeying him in *Kufr* and disobedience. And when 'Adī Ibn Hātim asked the Prophet صلى الله عليه وسلم about His *Ta'āla*'s saying: **'They took their priests and Rabbis as lords beside Allāh – to the end of the *Āyah*,'** he made clear to them that the meaning of this was that they obeyed them in the making *Harām* what Allāh made *Halāl* and making *Halāl* what Allāh made *Harām* and the *Āyāt* like this are many. And the strange thing is that some of the people judge by other than the legislation of Allāh and then claim *Islām*, like He *Ta'āla* said: **'Have you seen those (hypocrites) who claim that they believe in that which has been sent down to you, and that which was sent down before you, and they wish to go for judgement (in their disputes) to the *Tāghūt* (false judges, etc.) while they have been ordered to reject them. But *Shaitān* (Satan) wishes to lead them far astray.'** And He said: **'And whosoever does**

¹⁹⁷ *Sūrat Al-Isrā'*, 9

not judge by what Allāh has revealed, such are the *Kāfirūn*.' And He said, 'Shall I seek a judge other than Allāh while it is He Who has sent down unto you the Book (The Qur'ān), explained in detail." Those unto whom We gave the Scripture [the Taurāt (Torah) and the Injīl (Gospel)] know that it is revealed from your Lord in truth. So be not you of those who doubt.'¹⁹⁸

And if we were to include the *Tafsīr* from the people of knowledge regarding Allāh, the Most High's statement:

أَمْ لَهُمْ شُرَكَاءُ شَرَعُوا لَهُمْ مِنَ الدِّينِ مَا لَمْ يَأْذَنْ بِهِ اللَّهُ وَلَوْ لَنَا كَلِمَةٌ أَقْصَدُ لِقَضَائِهِمْ بَيْنَهُمْ وَإِنَّ الظَّالِمِينَ لَهُمْ عَذَابٌ أَلِيمٌ

Or have they partners with Allāh (false gods), who have instituted for them a religion, which Allāh has not allowed. And had it not been for a decisive Word (gone forth already), the matter would have been judged between them. And verily, for the *Zālimūn* (polytheists and wrong-doers), there is a painful torment.¹⁹⁹

...then this would most likely take up several pages of similar quotations, which all refer to the *Shirk* of legislating laws in opposition of the *Sharī'ah* which takes one outside the *Millah* of *Islām*.²⁰⁰

And Muhammad Ibn Sālih Al-'Uthaymīn said, in answering a question about the description about ruling by other than what Allāh revealed: "*Al-Hukmu Bi Ghayri Mā Anzal Allāh* is of two types: The first type is when the *Hukm* of Allāh is removed and replaced with another *Tāghūtī Hukm*, so that the *Hukm* of the *Sharī'ah* is eliminated between the people and he puts in its place another *Hukm* from the fabrication of the humans and they remove the laws of the *Sharī'ah* concerning the *Mu'āmalah* (i.e. the general actions between people) and they put in its place fabricated laws and this, without doubt, is *Istibdāl* (i.e. replacement) of the *Sharī'ah* of Allāh *Subhānahu Wa Ta'āla*, with other than it. And this is *Kufr* which removes one from the *Millah* because this person put himself at the level of the Creator because he *Shara'a* (legislated) for the slaves of Allāh that which Allāh *Ta'āla* did not give permission for and that is *Shirk* as in

¹⁹⁸ "Adhwā' Al-Bayān", Vol. 3/439-441

¹⁹⁹ *Sūrat Ash-Shūra*, 21

²⁰⁰ Refer to the lengthy *Tafsīr* in "Adhwā' Al-Bayān", Vol. 4/82-85 from Muhammad Al-'Amīn Ash-Shanqīṭī, in which he said, "And with these Heavenly texts that we have mentioned, it becomes quite clear that the ones who follow the fabricated laws, which the *Shaytān* has legislated upon the tongues of his *Awliyā'* and which oppose that which Allāh, *Jalla Wa 'Alā* has legislated upon the tongues of His Messengers, peace be upon them, that no one doubts their *Kufr* and their *Shirk* except him who Allāh has removed his sight and has blinded them to the light of the revelation as they are!" And how blind the authors of www.salafipublications.com are as well as their hero Khālīd Al-'Anbarī who have attempted to conceal the most prevalent form of *Shirk* with respect to obedience and we seek refuge in Allāh from such filth, misguidance, delusion and ignorance.

His, Ta'āla's saying: "Or have they partners with Allāh (false gods), who have instituted for them a religion, which Allāh has not allowed?" (Ash-Shu'arā', 21) ²⁰¹

And there is no ambiguity in the words of Ibn 'Uthaymīn here as he has clearly referred to the ruler and not the masses who take the *Hukm* to him. And again, it was the act of legislating, which caused this *Shirk* and *Kufr* to fall upon the ruler in this case and not his wilful denial or his mere refraining from applying the *Hukm* as we have proven elsewhere.

Muhammad Ibn Ibrāhīm Āl Ash-Shaykh said, "The '*Ibādah* of obedience is of different types: If he admits that he is disobedient and sinful and following his desires; then this is like the rest of the sins which does not reach *Kufr*. But if he does not know then this requires an explanation. If he roots himself in the mire of heedlessness, he is blameworthy. **The (thing which is) *Wājib*, is to ask the people of knowledge, but if he knows that it is contradictory to the sayings of the Messenger صلى الله عليه وسلم and that he is not sinful then this is *Shirk Akbar*, like the fabricated laws that have been adopted in the courts, they are from this type. They make them at the level of the Messenger and it is written in the documents that the right is for so and so. And the laws that have come from France are put at the level of the Messenger of Allāh, so if this is how it is, if it has come from the '*Ulamā*', then what about what has come from the *Shaytān* and America and France?! And if it is in the *Hukm* then that is even greater! There is no *Hukm* except that which the Messenger صلى الله عليه وسلم has come with. **So whoever takes someone to obey with Allāh than he has made *Shirk* in the *Risālah* and the *Ulūhiyyah* and of these two things, either one on their own is *Kufr*, as opposed to one matter because that is not like the deafening and the sealed because this one is a *Murtadd* and he is more severe in the *Kufr* than the Jew or the Christian.**"²⁰²**

And again, the words of *Shaykh* Muhammad Ibn Ibrāhīm, may Allāh be merciful to him are clearly addressing the ruler himself and yet again, we see that it is the act of legislating which has caused this *Shirk* and *Kufr* to fall upon him.

So look, O reader, at the statements of the people of knowledge and *Tafsīr* regarding the *Shirk* of the one who replaces the clear *Sharī'ah* of Allāh, the Most High with his own fabricated laws! And consider the deception and twisting and heedlessness and negligence of people such as Khālid Al-'Anbarī and the authors of www.salafipublications.com and their avid readers. Is there any ceasing to their misguidance and causing others to stray?! Indeed, they are as relentless in their dereliction as they are in their haste to revile those who oppose them!

²⁰¹ Look to the series of cassettes from the *Shaykh* entitled, "*Fiqh Al-'Ibādāt*", #60 And much controversy has emerged from some of the available statements which have been narrated from *Shaykh* Ibn Al-'Uthaymīn and it is our intention to discuss this issue in a separate project, *Inshā' Allāh*. However, we feel that these words are clear and unambiguous and have narrated them here to illustrate a point concerning the *Shirk* of replacing the laws of the *Sharī'ah*.

²⁰² "*Fatāwa Al-Imām Muhammad Ibn Ibrāhīm Āl Ash-Shaykh*", Vol. 12/280

Can Their Be Any Faith For Those Who do Not Refer to the Sharī'ah for Judgments?

Next, Khālīd Al-'Anbarī goes on to say:

Another example is their distortion of the meaning of the saying of [Allāh] the Most High, **"But no, by your Lord, they can have no Faith, until they make you (O Muhammad) judge in all disputes between them..."** [4:65]. Ahl us-Sunnah have mentioned that the meaning of "they can have no Faith (lā yu'minūn)" is that they cannot be perfecting their Faith (yastakmilūn al-Imān). As for the Khawarij, then they are the ones who have taken this verse upon its apparent meaning and who claimed the absolute negation of Imān. For this reason Shaikh ul-Islām Ibn Taymiyyah – may Allāh have mercy upon him – stated in Minhaj us-Sunnah (5/131), "This is one of the verses that the Khawarij use as evidence to justify takfir of the rulers (wullāt ul-umūr) who do not rule by what Allāh has revealed", meaning, those who do it without wilful rejection, juhūd.

So he again twists the words of *Shaykh Al-Islām* to comply with what he has alleged, and that is that this *Āyah* is not to be held on its outward meaning. And the fact that he attempted to use *Shaykh Al-Islām* Ibn Taymiyyah, may Allāh be merciful to him was an unfortunate choice on his part.

Consider the words of Ibn Taymiyyah in "*As-Sāram Al-Maslūl 'Alā Shātim Ar-Rasūl*":

"Allāh swears by Himself that the people do not believe until they use Muhammad ﷺ as the judge between their disagreements and they must have no objections to his judgement, instead they must surrender to his judgement both outwardly and inwardly. And He said before that, **'Have you seen those (hypocrites) who claim that they believe in that which has been sent down to you, and that which was sent down before you, and they wish to go for judgement (in their disputes) to the *Tāghūt* (false judges, etc.) while they have been ordered to reject them. But *Shaitān* (Satan) wishes to lead them far astray. And when it is said to them: "Come to what Allāh has sent down and to the Messenger (Muhammad ﷺ)," you (Muhammad ﷺ) see the hypocrites turn away from you (Muhammad ﷺ) with aversion.'** (*An-Nisā'*, 60-61) So Allāh made it clear that, whoever is called to judge by the Book of Allāh and his Prophet's *Sunnah*, and then he prevents the Prophets judgement; then he is a hypocrite (*Munāfiq*). And Allāh said, 'They (hypocrites) say: "We have believed in Allāh and in the Messenger (Muhammad ﷺ), and we obey," then a party of them turn away thereafter, such are not believers. And when they are called to Allāh (i.e. His Words, the Qur'ān) and His Messenger (ﷺ), to judge between them, lo! a party of them refuse (to come) and turn away. But if the right is with them, they come to him willingly with submission. Is there a disease in their hearts? Or do they doubt or fear lest Allāh and His Messenger (ﷺ) should wrong them in judgement. Nay, it is they themselves who are the *Zālimūn* (polytheists, hypocrites and wrong-doers, etc.).' (*An-Nūr*, 47-51) So Allāh made clear that whoever turns away from the acceptance of the Messenger's judgement, then he is from the *Munāfiqīn*. He is not a Believer because the Believer is the one who says, 'We listened and obey.' So this *Nifāq* removes all *Imān* by turning away from the judgement of His Messenger and

desiring the judgement of someone else and this even applies when his rejection comes from his overwhelming desires.”²⁰³

Ibn Al-Qayyim, may Allāh be merciful to him, said about this *Āyah*, **“The Most Glorified swore by His Holy Self a strong oath with the negation at it’s beginning (i.e. But no, by your Lord...) of the Īmān of the creation, until they make His Messenger the judge of everything that is between them.** (This judgement is for) the most general issues and the most specific ones, the laws of the *Sharī’ah*, the *Ma’ād* and all the descriptions etc. **(Furthermore), Īmān can not be established inside them even if they do use him as their judge**, until they are not reluctant – which would be if they had constricted chests (i.e. if they had any dissatisfaction in their hearts about his صلى الله عليه وسلم judgement). Furthermore, their hearts must remain open to his judgement and they must accept it with complete acceptance and (even then,) the *Īmān* will not be established until they add to their acceptance, pleasure and they surrender to his judgement without questioning it and without going against it or turning away from it.”²⁰⁴

Shaykh Muhammad Ibn Ibrāhīm Āl Ash-Shaykh said, “Verily, from the clear *Kufr Al-Akbar* is implementing the cursed laws at the level of what the Trustworthy Spirit (i.e. Jibrīl صلى الله عليه وسلم) came down with upon the heart of Muhammad صلى الله عليه وسلم so that he would be from the warners in the clear Arabic speech to be a judgement between all the created beings and for it to be returned to when the disputers disagree because it opposes Allāh ‘Azza Wa Jall’s saying: ‘(And) if you differ in anything amongst yourselves, refer it to Allāh and His Messenger (صلى الله عليه وسلم), if you believe in Allāh and in the Last Day.’ **And Allāh Subhānahu Wa Ta’āla has negated the Īmān from the one who does not take the judgement of what occurs between them to the Prophet صلى الله عليه وسلم. He has done this as a full negation by repeating the statements of negation and with an oath, He Ta’āla said: ‘But no, by your Lord, they can have no Faith, until they make you (O Muhammad صلى الله عليه وسلم) judge in all disputes between them...’** And it was not sufficient for Him, *Ta’āla* for them to take the judgement to the Messenger صلى الله عليه وسلم until they added to that, the not having any discomfort in themselves. He added that with His saying: ‘...and find in themselves no resistance against your decisions, and accept (them) with full submission.’ *Al-Haraj* (i.e. resistance) means constriction. Rather, it is a must that their hearts be open to that and for them not to have any anxiety or discomfort. And He *Ta’āla* did not find that sufficient for these two matters until they add to that, the submission to it. And that is total submission and it is total obedience to his صلى الله عليه وسلم *Hukm* to the extent that they sever all ties with their *Nafs* and they submit to the true *Hukm* with total submission and for this, he emphasised it with his saying: ‘*Taslīmā*,’ which shows that it is not enough to submit but it must be a total submission.”²⁰⁵

²⁰³ Pg. 37-38

²⁰⁴ “*At-Tibyān Fī Aqsām Al-Qur’ān*”, Pg. 270

²⁰⁵ Extracted from the *Risālat “Tahkīm Al-Qawānīn”*

And Ahmad Shākir, may Allāh be merciful to him, said in his interpretation of, **'But no, by your Lord, they can have no Faith, until they make you (O Muhammad ﷺ) judge in all disputes between them...':**

"So look, O Muslims, in all of the *Islāmic* countries or the ones which claim to be *Islāmic*, in all the parts of the Earth, to what your enemies from the missionaries and colonists have done to you! They have put upon the *Muslimīn*, laws of misguidance, which destroy the etiquettes and the *Dīn*. European law, which are idols, which were never based upon any *Sharī'ah* or *Dīn*, rather they were based upon rules that were made by the *Kāfir* who refused to believe in the Messenger of their era, 'Īsa, 'Alayhī As-Salām. And he remained upon his paganism with what he had from *Fisq* and *Fujūr* (i.e. oppression). This person was *Justinyān*, the father of the laws and the one who established the basis – so they claim – and an important man from Egypt who – due to *Thulm* – attributes himself to *Islām*, and who did not feel too ashamed to translate the laws of that *Fāsiq*/Pagan and he called it 'The Code of *Justinyān*,' insulting "The code of Mālik," one of the encyclopaedias of *Islāmic Fiqh*, which was based upon the Book and the *Sunnah*, and which is attributed to the *Imām* of *Dar Al-Hijrah* (i.e. *Madīnah*)! So look at the level of absurdity and shamefulness and recklessness of that man!

"These laws, which the enemies of *Islām* imposed upon the Muslims due to enmity; **in reality it is another religion which they made a *Dīn* for the Muslims in replacement of their pure *Dīn* because they made it *Wājib* upon them to follow it and obey it.** And they put into the hearts, love and adoration for it to the point where you see upon the tongues and the pens, words like, 'The holiness of the judgements,' or 'The holiness of the courts,' or 'The holiness of the laws,' and words like these, which they refuse to describe the *Islāmic Sharī'ah* or the opinions of the *Fuqahā* of *Islām* with! Instead, they describe it with words such as, 'Reactionism,' or 'Stagnant,' or 'Priesthood,' or 'the *Sharī'ah* of the Jungle,' or other than that from the evils that you see in the newspapers or the magazines or modern books, which are written by the followers of those pagans.

"Then they started to label these (fabricated) laws and the studies of those (fabricated) laws with the word, '*Al-Fiqh*,' and '*Al-Faqīh*,' and '*At-Tashrī*,' and '*Al-Musharra*,' and other words that the '*Ulāma* of *Islām* used to describe the *Sharī'ah* and its '*Ulamā*'. Then they go (even) further and to the degree where they compare the *Dīn* of *Islām* and its *Sharī'ah* with their modern *Dīn* – until he said – **and this modern *Dīn* became the basis which the *Muslimīn* take their *Hukm* to and they judge with it, in most of the *Islāmic* countries whether it is in something that complies with the laws of the *Sharī'ah* or contradicts it.** And all of this is *Bātil* and rebellion because whatever complied with it coincidentally and not due to following it and not out of obedience to the command of Allāh or the command to His Messenger. So whatever complies and whatever contradicts; both are stuck in the mud of misguidance and it leads the one who follows it to the Fire and it is not allowed for a Muslim to be submissive to it or be pleased with it. And we will add to this meaning under the words of *Al-Hāfīth* Ibn Kathīr under the *Tafsīr* of the fiftieth *Āyah* of *Sūrat Al-Mā'idah*, *Inshā' Allāh*." ²⁰⁶

²⁰⁶ "Umdat At-Tafsīr Mukhtasar Tafsīr Ibn Kathīr of Ahmad Shākir", Vol. 3/214-215 The words being referred to are:

So look, O reader, to the words of Ahmad Shākir, may Allāh be merciful to him, in which he said, "...in reality it is another religion which they made a *Dīn* for the Muslims in replacement of their pure *Dīn* because they made it *Wājib* upon them to follow it and obey it." And look to his saying, "...and this modern *Dīn* became the basis which the *Muslimīn* take their *Hukm* to and they judge with it, in most of the *Islāmic* countries whether it is in something that complies with the laws of the *Sharī'ah* or contradicts it." So it becomes clear how this *Tafsīr* of the above *Āyah* indicates a clear nullification of *Īmān* mentioned in, "But no, by your Lord, they can have no Faith..." because he has made the "...modern *Dīn*..." the "...basis which the *Muslimīn* take their *Hukm* to..." just as he has said, "...in reality it is another religion which they made a *Dīn* for the Muslims..." And this shows how he holds the enemies of Allāh, who originally brought the fabricated laws into the *Islāmic* world to be at the same level as those who continued to rule them with these laws after the occupation of their lands. He considered these fabricated laws a different *Dīn*, whether the colonists or those who inherited the rule after independence were enforcing them.

And if we look to the words of Ahmad Shākir elsewhere, his opinion in this issue is not hidden. Below the *Tafsīr* of Ibn Kathīr, may Allāh be merciful to him, Ahmad Shākir said:

أَفْحَكَمَ الْجَاهِلِيَّةُ يَبْغُونَ

"Is it the *Hukm* of *Jahiliyyah* that they seek?"

"I say: Is it allowed in the legislation of Allāh for the Muslim to rule in their countries with a legislation, which is taken from the legislation of paganistic/atheistic Europe? Rather a legislation that enters into it, desires and opinions which are *Bātil*, they change it whenever they want and he who makes it does not care if his legislation complies with *Islām* or opposes it.

"Verily, the *Muslimīn* were not tested with this ever in their history as far as we know, except for in the time of the Tartars and it was from the worst eras of *Thulm* and darkness and even with that, they did not submit to it. Rather, *Islām* defeated the Tartars and they entered them under their *Sharī'ah* and the effects of what they did were erased by the steadfastness of the *Muslimīn* upon their *Dīn* and their *Sharī'ah* and because their evil, wrongful *Hukm* was from the side of the ones who ruled at that time, no one from the

أَفْحَكَمَ الْجَاهِلِيَّةُ يَبْغُونَ

"Is it the *Hukm* of *Jahiliyyah* that they seek?"

"Allāh, *Ta'āla* condemns those who turn away from Allāh's *Sharī'ah*; the laws that are good for the Muslims; the laws that forbid what is evil. Allāh rejects those who follow laws of personal desires and who adopt laws of *Kufr* such as the laws enforced by the Tartars who were under the control of Genghis Khan, their King. These laws were a mixture of Judaism, Christianity and laws chosen by their King which suited his desires. Should we prefer these laws over the *Sharī'ah* of Allāh and His Prophet ﷺ? Whoever does this is a *Kāfir* and killing him is *Wājib*!" ("*Tafsīr Ibn Kathīr*", Vol. 2/67)

Ummah of Islām, which were ruled by it, entered under it and they did not study it and they did not teach it to their children. So look how fast its effects were erased.

“So did you not see this strong description given by *Al-Hāfith* Ibn Kathīr in the eighth century to that invented law, which was made by the enemy of *Islām*, Genghis Khan? Do you not see that he was describing the condition of the *Muslimīn* at this time in the fourteenth century?! Except, there is one difference, which we pointed out earlier and that is that it was only in the level of the *Hukkām* (i.e. the rulers), so the time came quickly and erased the effects of what they did to the *Ummah* of *Islām*.

“And now, the *Muslimīn* are in a worse condition and more *Thulm* and darkness than them because most of the *Ummah* of *Islām* enters under the laws, which oppose the *Sharī’ah* that are the most resembling thing to the ‘*Yāsiq*’ which was made by a *Kāfir*, whose *Kufr* was clear. These laws are made by people who attribute themselves to *Islām* and then the children of *Islām*, learn them and then the fathers and sons boast about it. And then they make it a source, which they return to in their matters to the people of this ‘Modern *Yāsiq*’. And they hate anyone who opposes them in that and they label the ones that call them to hold onto their *Dīn* and their *Sharī’ah* ‘Reactionists’ and ‘being still’ and ‘old fashioned’ and other than that and other insulting words like these!

“They even got their hands into what was left from the *Hukm* of the *Islāmic* legislation and they wanted to change it to their new ‘*Yāsiq*’, sometimes through gentle means and sometimes through plotting and trickery and with whoever owns (due to bribery) the *Sultān* sometimes. And they clearly say without shame that they are working to separate the state from the *Dīn*!

“Or is it allowed for a Muslim to be judged by the ‘Modern *Yāsiq*’ and to act upon it and to turn away from the clear *Sharī’ah* of Allāh? I do not think that a Muslim who knows his *Dīn* and believes in it generally and specifically and believes that this *Qur’ān* has been sent down by Allāh to His Messenger as a clear Book, which falsehood will not approach it from behind or from in front, and that His obedience and the obedience of the Messenger who came with it, is *Wājib* without any disagreement in every condition. I do think that he can say anything except that he will say without any doubt or (pause for) consideration that this type of judgement in this condition is *Bātil* from its basis and can not be made right or allowed.

“The matter in these fabricated laws is clear like the clearness of the sun. It is clear *Kufr* and there is nothing hidden about it and there is no excuse for anyone who attributes themselves to *Islām*, whoever they may be, to act according to it or to submit to it or to approve of it. So each person should beware and every person is responsible for himself. So the ‘*Ulamā*’ should make the truth clear and tell what they have been ordered to tell without concealing anything.”²⁰⁷

²⁰⁷ “*Umdat At-Tafsīr Mukhtasar Tafsīr Ibn Kathīr of Ahmad Shākir*”, Vol. 4/173-174

So look to the *Tafsīr* of the people of knowledge. Among them; Ibn Taymiyyah, Ibn Al-Qayyim, Muhammad Ibn Ibrāhīm and Ahmad Shākir – may Allāh be merciful to them all. Can these words be understood to mean anything except the clear nullification of the Īmān in its entirety? And all this was in reference to the ruler who rules by other than what Allāh revealed, in the sense that he replaces the *Hukm* of Allāh with his own fabricated *Hukm*. So what is left for the likes of Khālīd Al-‘Anbarī and www.salafipublications.com and their avid readers? Will they cease in their bias and blind partisanship or are the days approaching when they will call even these noble ‘Ulamā’ by such filthy insulting names as *Khawārij*, *Surūrī*, *Qutubī* or *Takfīrī*?!

And what about the statements which we have quoted earlier; such as those from Ibn ‘Uthaymīn, Ash-Shanqītī, Abdur-Rahmān Ibn Hasan Āl Ash-Shaykh and his son, Abdul-Latīf?! Are these names soon to be mentioned on the list of prominent extremists or political activists?! Have the authors of www.salafipublications.com no shame or fear of Allāh?!

Statements Which Confirm the Kufr For Certain Actions or Beliefs do not Deny The Kufr For Other Than Them and the Statements of Ibn Taymiyyah

Next, the reckless Khālīd Al-‘Anbarī reports the words of Ibn Taymiyyah:

Shaikh ul-Islām Ibn Taymiyyah said in Minhaj us-Sunnah (5/130): "So when they know that it is not permissible to rule by other than what Allāh has revealed, and did not adhere to this, but rather declared it lawful (istahalloo) for themselves to rule with that which is in opposition to what Allāh has revealed, then they are disbelievers. And if not, then they are ignorant people. And ruling by what Allāh has revealed is obligatory..."

And again, Khālīd Al-‘Anbarī has used the words of Ibn Taymiyyah here to imply that this *Kufr* only falls on the ruler when he considers this ruling to be permissible. And this is because he was unable to find a statement of *Shaykh Al-Islām*, wherein he said something like, "A ruler can *only* become a *Kāfir* for ruling by other than what Allāh revealed when he considers it permissible." But we agree with Ibn Taymiyyah, may Allāh be merciful to him and we too say, "When the ruler, who rules by other than what Allāh revealed, holds his ruling to be permissible, he is a *Kāfir*." But this statement of ours does not mean that the ruler is not a *Kāfir* for legislating fabricated laws. This statement of ours can only verify the judgement of the issue which it confirms. It can not be used to imply that unless the exact criterion in the statement exists fully, the judgement of the individual is incomplete.

For example, if we were to say, "If the ruler abandons his *Salāt*, rules by other than what Allāh revealed while legislating fabricated laws, swears at Allāh and His Messenger, mocks the *Dīn* and prostrates to graves, he is a *Kāfir*." This does not mean that all of these descriptions must all be present in one individual before we will call him a *Kāfir*. Indeed, each one of these things is *Kufr* on its own.

Also, it is unclear from these words of Ibn Taymiyyah whether he is referring to the ruler who rules in particular cases by his desires or to the *Hākim* who legislates fabricated laws from his own invention and governs the people by them.

And why did Khālīd Al-‘Anbarī not assemble a collection of the available statements regarding the ruling by other than what Allāh revealed which have been recorded by *Shaykh Al-Islām* in order to reveal his complete and *Mutawātir* (i.e. often narrated) opinion concerning the ruler who legislates fabricated laws and governs the masses with them?

For example:

“And it is known by necessity in the *Dīn* of the Muslims and by the agreement of all the Muslims that whoever follows a *Sharī’ah* other than the *Sharī’ah* of Muhammad then he is a *Kāfir* and it is like the *Kufr* of the one who believes in some of the Book and disbelieves in some of the Book. Like He, *Ta’āla* said: ‘Verily, those who disbelieve in Allāh and His Messengers and wish to make distinction between Allāh and His Messengers (by believing in Allāh and disbelieving in His Messengers) saying, “We believe in some but reject others.”’ (*An-Nisā’*, 150-151) ²⁰⁸

Or, “Whoever changes the *Sharī’ah* of the Prophets and brings a new *Sharī’ah* then his *Sharī’ah* is *Bātil* and it is not allowed to follow it. Like He *Ta’āla* said: ‘**Or have they partners with Allāh (false gods), who have instituted for them a religion, which Allāh has not allowed.**’ And due to this, the Jews and the Christians disbelieved because they adhered to an abrogated *Sharī’ah*.” ²⁰⁹

Also, “...like the one who said, ‘This *Tawrāt* has been changed and it is not allowed to act upon what is in it. And whoever acts upon its laws today, which are changed and abrogated, then he is a *Kāfir*.’ So these words and words which resemble them, are true and there is nothing upon the one who says them.” ²¹⁰

And he said, “And the *Sharī’ah*, which has been revealed by Allāh, *Ta’āla*; and that is the Book and the *Sunnah*, which Allāh sent to His Messenger with and this *Sharī’ah*; it is not for anyone of the creation to leave it and no one leaves it except the *Kāfir*.” ²¹¹

“And it is known that whoever removes an order or a forbiddance, which Allāh sent His Messenger with, then he is a *Kāfir* by the agreement of the Muslims and the Jews and the Christians.” ²¹²

²⁰⁸ “*Al-Fatāwa*”, Vol. 28/524

²⁰⁹ “*Al-Fatāwa*”, Vol. 35/365

²¹⁰ “*Al-Fatāwa*”, Vol. 35/200

²¹¹ “*Al-Fatāwa*”, Vol. 11/262

²¹² “*Al-Fatāwa*”, Vol. 8/106

Or, "And whenever the 'Ālim leaves what he knows from the Book of Allāh and the *Sunnah* of His Messenger and he follows the *Hukm* of the *Hākim*, which opposes the *Hukm* of Allāh and His Messenger, then he is a *Murtadd/Kāfir* deserving of punishment in this life and in the Hereafter. He, *Ta'āla* said: *Alif-Lām-Mīm-Sād*. (This is the) Book (the Qur'ān) sent down unto you (O Muhammad صلى الله عليه وسلم), so let not your breast be narrow therefrom, that you warn thereby, and a reminder unto the believers. [Say (O Muhammad صلى الله عليه وسلم) to these idolaters (pagan Arabs) of your folk:] Follow what has been sent down unto you from your Lord (the Qur'ān and Prophet Muhammad's *Sunnah*), and follow not any *Auliyā'* (protectors and helpers, etc. who order you to associate partners in worship with Allāh), besides Him (Allāh). Little do you remember! And a great number of towns (their population) We destroyed (for their crimes). Our torment came upon them (suddenly) by night or while they were sleeping for their afternoon rest. No cry did they utter when Our Torment came upon them but this: "Verily, we were *Zālimūn* (polytheists and wrong-doers, etc.). (*Al-A'rāf*, 1-5) Even if he is beaten and imprisoned and tortured with all different types of torture in order that he would leave what he knew from the *Sharī'ah* of Allāh and His Messenger, which is *Wājib* to follow and then to follow the *Hukm* of other than him; then he is still deserving of the punishment of Allāh. Instead, it is for him to be patient even if he is tortured for Allāh because this is the *Sunnah* of Allāh with respect to the Prophets and their followers. Allāh *Ta'āla* said: *Alif-Lām-Mīm*. Do people think that they will be left alone because they say: "We believe," and will not be tested. And We indeed tested those who were before them. And Allāh will certainly make (it) known (the truth of) those who are true, and will certainly make (it) known (the falsehood of) those who are liars, (although Allāh knows all that before putting them to test). (*Al-'Ankabūt*, 1-3) ²¹³

However, what Khālid Al-'Anbarī chose to narrate from *Shaykh Al-Islām* was the following:

"And when a person declares to be lawful what is unanimously agreed to be unlawful, or declares unlawful what is unanimously agreed to be lawful or (the one) who replaced the *Sharī'ah* (baddala ash-Shar') - that [from it] which is agreed upon - he is a *kāfir*, an apostate by agreement of the jurists."

And then he declares that, although this narration from Ibn Taymiyyah has been often used as evidence of the *Kufr* of the one who replaces the *Sharī'ah* laws with the fabricated laws, its true meaning is clarified by what follows it:

"And the third: *Shar'* al-Mubaddal (the replaced law) - and this is lying against Allāh and against His Messenger or upon the people with a false testimony and its likes, and clear oppression. So whoever says: 'Indeed, this is from the *Shar'* of Allāh (i.e. a particular ruling a law), then he has disbelieved - there being no doubt or dispute in this - such as the one who says: 'That consuming blood and the dead animal is lawful.'"

²¹³ "*Al-Fatāwa*", Vol. 35/373

Thus, Al-‘Anbarī has attempted to demonstrate that the understanding of “replacement of the laws of the *Sharī‘ah*” only applies when the ruler declares these laws to have come from Allāh, Himself. And he claims that this is what is meant by *Ash-Shara’ Al-Mubaddal* (i.e. replaced law) and he adds to this understanding the statement of Ibn Al-‘Arabī:

Ibn al-‘Arabi states in *Ahkam ul-Qur‘an* (2/624), "If he rules with [the laws that originated with himself] holding that they are from Allāh, then that is *tabdil* of the [rule of Allah] and necessitates *kufr*."

But this statement of Ibn Al-‘Arabī is the only one of its kind which clearly states this definition of Khālīd Al-‘Anbarī’s concept of *Ash-Shara’ Al-Mubaddal*. As for Ibn Taymiyyah, may Allāh be merciful to him, then let’s examine its entire text:

“And the person, whenever he makes *Halāl* the *Harām* which there is *Ijmā’* regarding, or makes *Harām* which there is *Ijmā’* regarding, or replaces a law which there is *Ijmā’* upon, then he is a *Kāfir/Murtadd* by the *Ijmā’* of the *Fuqahā’*. And about this came His saying, according to one of the two sayings: **And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*** – meaning that he makes the *Hukm Bi Ghayri Mā Anzal Allāh, Halāl*.

“And the phrase *Ash-Shara’* in the customs of the people is used upon three different meanings:

“Firstly, *Ash-Shara’ Al-Munazzil* (i.e. the revealed legislation) and it is what the Messenger صلى الله عليه وسلم came with and the following of this is *Wājib*. And whoever contradicts it, it is *Wājib* to punish him.

“And the second, *Ash-Shara’ Al-Mu‘awwil* (i.e. the explained legislation) and it is the opinions of the *Mujtahidīn/‘Ulamā’* like the *Math‘hab* of Mālik and the likes of it. And it is allowed to follow this and it is not *Wājib* and it is not *Harām* and it is not for anyone to hold it upon the general people. And it is not for anyone to forbid it to the general people.

“Thirdly, *Ash-Shara’ Al-Mubaddal* (i.e. the replaced legislation) and it is the lying on Allāh and His Messenger or upon the people with false witness and the likes of that. And (this is) the clear *Thulm*. So whoever says, ‘This is from the legislation of Allāh,’ then he has disbelieved without disagreement. Like the one who says, ‘The blood is and the dead (meat) is *Halāl*,’ even if he says, ‘This is my *Math‘hab*’ and the likes of that.”²¹⁴

And again, this statement does not limit the *Ash-Shara’ Al-Mubaddal* to the cases where the ruler declares these laws to be from Allāh, all it states is that this is one of the ways that the word *Shara’* is used by the people. No one disagrees that saying that such-and-such a law is from Allāh, when it really isn’t, is *Kufr*, but does this mean that there are no other ways that someone could leave *Islām* with regards to the *Sharī‘ah* and its laws? Of course not. If someone said that this specific law is from Allāh, but this other law that I

²¹⁴ “*Al-Fatāwa*”, Vol. 3/267

have is better, he is a *Kāfir*, even though this wasn't *Tabdeel Ash-Shara'* according to these two quotes. The point is, is that if something is specified to be *Kufr* by a scholar, it isn't from the etiquette, nor is it permissible in the *Shara'* to claim that that is all they considered to be *Kufr*. So how would it be when the quote is only discussing a specific issue of *Kufr*, and when there are other clearer quotes from that same scholar to show that they did hold other issues to be *Kufr*? So to conclude, Ibn Taymiyyah is saying that this is one of the ways that people use the word *Shara'* in the customs. This does not show that he held only this type of action to be *Kufr*. Also, there are other quotes to show that he held the general legislation to be *Kufr*, so it doesn't matter in the end how he defined *Tabdeel Ash-Shara'*. This is because all we would say then is that he didn't hold general legislation to be from the *Tabdeel Ash-Shara'* unless the ruler claimed that it was from Allāh, yet he still held the general legislation to be *Kufr*.

And regarding the first part of this narration from *Shaykh Al-Islām*, may Allāh be merciful to him: And about this came His saying, according to one of the two sayings: **And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn* --**, meaning that he makes the *Hukm Bi Ghayri Mā Anzal Allāh, Halāl*." The translator of "The 'Anbarī Papers: Part 5" has concluded:

So takfir is made dependent upon Istihlāl (i.e. declaring something to be permissible). So what clearer evidence is there of fooling and toying with the textual statements of the Scholars than this? (Trans.)]

And this conclusion is further evidence for the deception and partisanship, which is typical from www.salafipublications.com and it is nothing new. Did not the translator read what he, himself translated: "...according to one of the two sayings..."? So how can the translator derive this point and make the *Takfīr* conditional upon the ruler declaring his fabricated laws to be *Halāl* when Ibn Taymiyyah himself has confirmed that this is only one of two sayings concerning the matter?! At best, this narration from him is ambiguous and can not be used as an authoritative text upon which to affirm Ibn Taymiyyah's opinion in this issue. And it is precisely this type of twisting and shopping for acceptable phrasings, which the likes of Khālīd Al-'Anbarī and www.salafipublications.com are guilty of. And it is interesting that all of what we have presented from *Shaykh Al-Islām* in this section was mysteriously avoided and these two specific texts, which could be twisted to support the opinion of the author, were included instead. But this is typical from those who follow the *Mutashābih* (i.e. not entirely clear) as opposed to the *Muhkam* (i.e. clear in meaning) in order to substantiate their own desires. As Allāh, the Most High said about those who interpret His *Āyāt* by their desires: **So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking *Al-Fitnah*... (Āl-Imrān, 7)**

And although Khālīd Al-'Anbarī has attempted to demonstrate that *Shaykh Al-Islām* did not differentiate between the ruler who rules in particular instances by other than what Allāh revealed, he has failed to grasp the importance of the following quotation:

"If it's from *Dīn* but he judges without knowledge, then he is from the people of the Fire (i.e. for judging in a matter in which they were not qualified to). And if he is knowledgeable but judges with that which contradicts the truth that he knows, then he is

from the people of the Fire. And if he judges without justice and without knowledge, then he is more deserving to be of the people of the Fire. And this is if he judges in a specific instance for an individual. **But if he judges a *Hukm* 'Ām (i.e. general judgement) in the *Dīn* of the Muslims; so he makes the *Haq* to be *Bātil* and the *Bātil* to be *Haq* and the *Sunnah* to be *Bid'ah* and *Bid'ah* to be *Sunnah* and the *Ma'rūf* to be *Munkar* and the *Munkar* to be *Ma'rūf* and he forbids what Allāh and His Messenger ordered and he orders that Allāh and His Messenger forbade, then this is a different category (i.e. literally, '...this is a different colour). The Lord of the Worlds, *Ilāh* of the Messengers, Master of the Day of Judgement will judge him.**"²¹⁵

So this shows that Ibn Taymiyyah did, in fact, differentiate between *At-Tashrī' Al-'Ām* and made it separate from the ruling in one instance. And although he, may Allāh be merciful to him, did not specifically make *Takfīr* to this second category of ruling by other than what Allāh revealed, he has clearly done so in the other texts which have passed.

And how amusing it is that this entire section from "The 'Anbarī Papers: Part 5" was intended in its subject and title, to demonstrate how those who have opposed Al-'Anbarī have incompletely narrated or otherwise twisted the words of Ibn Taymiyyah to support them in opposition to him. And yet in the very section from this misguided individual, we have seen how he, himself, has done exactly what he has accused his opponents of doing. But this is nothing new from Khālīd Al-'Anbarī as we have seen it over and over from his previous work.

Al-'Anbarī said on Pg.79 of his wretched book, "*Shaykh Al-Islām*, Ibn Taymiyyah also considered the *Hukm Bi Ghayri Mā Anzal Allāh* out of desire and disobedience, without *Juhūd* or *Istihlāl* to be from disobediences which, the one who commits it, does not disbelieve. So he said, 'But concerning the sins that do not have a specific *Had* or expiation for like the one who kisses boys or strange women or he embraces, without intercourse or eats that which is not allowed for him or bears false witness or takes a bribe in his judgement or rules by other than what Allāh revealed or transgresses upon those whom he is responsible for, or he demonstrates from himself an attribute from *Jāhiliyyah*, or calls to those characteristics, and other things from the forbidden things."²¹⁶

So he used this to show that Ibn Taymiyyah's opinion was that Ruling by Other than what Allāh revealed is *Kufr Al-Asghar*. This is the way that Al-'Anbarī narrated it incompletely. So he cut off the *Mubt'ada*' (i.e. the subject) from its *Khabr* (i.e. its predicate). And if he had completed it, it would have clarified the meaning of who was meant by 'the one who rules by other than what Allāh revealed' and that its meaning is a *Qādhī* (i.e. judge) like *Shaykh Al-Islām* said after that:

²¹⁵ "*Majmū' Al-Fatāwa*", Vol. 35/388

²¹⁶ "*Majmū' Al-Fatāwa*", Vol. 28/343

“So those people are to be punished *Ta'zīr* (i.e. a punishment applied from the judge which does not have a specific text for) and to teach them a lesson according to the amount that the *Walī* (i.e. governor) sees fit and depending upon the amount of his sin among the people.” So who could be the one who would be punished according to what ‘...the *Walī* sees fit...’? And it is also known by common sense that the *Qādhī* does not have any power to change any laws, rather he only acts upon them and implements them. So it is clear that this description from *Shaykh Al-Islām* refers to the *Qādhī* who rules in specific circumstances and not the *Hākim* who has the ability to fabricate laws and legislate them upon the people. And thus, the deception and incomplete narration and twisting of the words of Ibn Taymiyyah have been revealed against Khālīd Al-‘Anbarī himself.

A brief collection of the statements of the people of knowledge concerning the *Hākim* who engages in *At-Tashrī’ Al-‘Ām* and Ruling by Other Than What Allāh Revealed.

1. Muhammad Al-‘Amīn Ash-Shanqītī:

“Associating with Allāh in His *Hukm* is like associating with Him in his worship and there is no difference between them at all, so the one who follows an institution other than the institution of Allāh, or other than that which Allāh legislated and a law which opposes the legislation of Allāh from that which has been fabricated by human beings, turning away from the light of the heavens that Allāh revealed upon His Messenger. **Whoever does this and whoever worships an idol or prostrates to a statue; there is no difference between them at all from any point of view. They are both one thing and they are both *Mushriks* with Allāh. This one associated with Allāh in His *Hukm* and they are both the same.**”²¹⁷

“...As for the legislative institutions, which contradict the legislations of the Creator of the Heavens and the Earth, then judging with these is *Kufr* in the Creator of the Heavens and the Earth. Such as saying that the preference of the males over the females in the inheritance is unjust and that it should be that they are equal in inheritance and like the saying that polygamy is *Thulm* and that divorce is *Thulm* against the women and that stoning and cutting off the hand and things like this are barbaric acts which should not be carried out against the people and things like that. **So ruling by institutions such as these upon individuals and the society and their wealth and their property and minds and *Dīn* is *Kufr* in the Creator of the Heavens and the Earth** and it is a rebellion against the law of the Heavens, which was given by the Creator of all the creation and He, *Subhānahu Wa Ta’āla* is more knowledgeable of the benefits towards His creation than to have another legislator

²¹⁷ From the cassettes of the *Shaykh* in his *Tafsīr* of *Sūrat At-Tawbah* at Allāh *Ta’āla*’s saying:

اَتَّخَذُوا أَحْبَارَهُمْ وَرُهَبَانَهُمْ أَرْبَابًا مِنْ دُونِ اللَّهِ

They (Jews and Christians) took their rabbis and their monks to be their lords besides Allāh ...

along with Him! **'Or have they partners with Allāh (false gods), who have instituted for them a religion, which Allāh has not allowed?'**" ²¹⁸

2. 'Umar Al-Ashqar:

"And from this explanation it becomes clear to us that there are two types of people who have fallen into *Kufr* about which there is no doubt. The first, **the ones who legislate that which Allāh did not reveal, and those are the ones who fabricate the laws that oppose the legislation of Allāh, they implement it upon the people and the *Ijmā'* is upon their *Kufr* without doubt.**" ²¹⁹

3. Mahmūd Shākīr:

"So their question wasn't the *Ibādhiyyah's* question to Abī Majlīz about the *Tafsīr* of this *Āyah*— about that which the *Mubtadi'ah* of our time agree with concerning the judgement in money and blood with a law that opposes the *Sharī'ah* of the people of *Islām* and not concerning implementing a law upon the people of *Islām* and forcing them to take the judgement to other than the rule of Allāh in His Book and upon the tongue of His Prophet صلى الله عليه وسلم. **So this action is turning away from the *Hukm* of Allāh and from His *Dīn* and putting the laws of the *Kuffūr* above the law of Allāh, *Subhānahu Wa Ta'āla* and this is *Kufr*.** No one from the people of the *Qiblah* with their difference, doubts the *Kufr* of the one who says or calls to this." ²²⁰

4. *Imām* Muhammad Ibn Ibrāhīm Āl Ash-Shaykh:

"As for the one who it was said about him, '*Kufr Dūna Kufr*,' this is if he rules with other than what Allāh revealed, while he believes that he is disobedient and that the *Hukm* of Allāh is the truth. This is concerning when it comes from him once or like that. **But as far as the one who puts laws in an order and to be followed, then this is *Kufr* even if they say that we made a mistake and the *Hukm* of the *Shara'* is more just, so there is a difference between the one who approves and implements and makes it as a text to return to. They make it a thing to return to and this is *Kufr* that takes one outside the *Millah*.**" ²²¹

"The '*Ibādah* of obedience is of different types: If he admits that he is disobedient and sinful and following his desires; then this is like the rest of the sins which does not reach *Kufr*. But if he does not know then this requires an explanation. If he roots himself in the mire of heedlessness, he is blameworthy. **The (thing which is) *Wājib*, is to ask the people of knowledge, but if he knows that it is contradictory to the**

²¹⁸ "*Adhwa'a Al-Bayān*", Vol. 4/82-85

²¹⁹ "*Ash-Sharī'ah Al-Ilāhiyyah*", Pg. 179

²²⁰ From his commentary on *Tafsīr At-Tabarī* ("*Tafsīr At-Tabarī*" Vol. 10/348)

²²¹ "*Fatāwa Al-Imām Muhammad Ibn Ibrāhīm Āl Ash-Shaykh*", Vol. 12/280

sayings of the Messenger صلى الله عليه وسلم and that he is not sinful then this is **Shirk Akbar**, like the fabricated laws that have been adopted in the courts, they are from this type. They make them at the level of the Messenger and it is written in the documents that the right is for so and so. And the laws that have come from France are put at the level of the Messenger of Allāh, so if this is how it is, if it has come from the 'Ulamā', then what about what has come from the *Shaytān* and America and France?! And if it is in the *Hukm* then that is greater, there is no *Hukm* except that which the Messenger صلى الله عليه وسلم has come with. **So whoever takes someone to obey with Allāh then he has made Shirk in the Risālah and the Ulūhiyyah and of these two things, either one on their own is Kufr, as opposed to one matter because that is not like the deafening and the sealed because this one is a Murtadd and he is more severe in the Kufr than the Jew or the Christian.**" ²²²

"And if the one who rules with the laws says, 'I believe that they (the laws) are *Bātil*' Then this has no effect. Rather, this is removing the *Shar'ah* just like if someone said, 'I worship these idols and believe that it is *Bātil*.'" ²²³

"Verily, from the clear *Kufr Al-Akbar* is implementing the cursed laws at the level of what the Trustworthy Spirit (i.e. Jibrīl صلى الله عليه وسلم) came down with upon the heart of Muhammad صلى الله عليه وسلم so that he would be from the warners in the clear Arabic speech to be a judgement between all the created beings and for it to be returned to when the disputers disagree because it opposes Allāh 'Azza Wa Jall's saying: '(And) if you differ in anything amongst yourselves, refer it to Allāh and His Messenger (صلى الله عليه وسلم), if you believe in Allāh and in the Last Day.' And Allāh *Subhānhu Wa Ta'āla* has negated the *Īmān* from the one who does not take the judgement of what occurs between them to the Prophet صلى الله عليه وسلم. He has done this as a full negation by repeating the statements of negation and with an oath, He *Ta'āla* said: 'But no, by your Lord, they can have no Faith, until they make you (O Muhammad صلى الله عليه وسلم) judge in all disputes between them...' And it was not sufficient for Him, *Ta'āla* for them to take the judgement to the Messenger صلى الله عليه وسلم until they added to that, the not having any discomfort in themselves. He added that with His saying: '...and find in themselves no resistance against your decisions, and accept (them) with full submission.' *Al-Haraj* (i.e. resistance) means constriction. Rather, it is a must that their hearts must be open to that and for them not to have any anxiety or discomfort. And He, *Ta'āla* did not find that sufficient for these two matters until they add to that, the submission to it. And that is total submission and it is total obedience to his صلى الله عليه وسلم *Hukm* to the extent that they sever all ties with their *Nafs* and they submit to the true *Hukm* with total submission and for this, he emphasised it with his saying: '*Taslīmā*,' which shows that it is not enough to submit but it must be a total submission."

And then the *Shaykh* mentions the five categories of when Ruling by other than what Allāh revealed is *Kufr Al-Akbar*. And finally:

²²² "Fatāwa Al-Imām Muhammad Ibn Ibrāhīm Āl Ash-Shaykh", Vol. 12/280

²²³ "Fatāwa Al-Imām Muhammad Ibn Ibrāhīm Āl Ash-Shaykh", Vol. 6/189

“...the fifth and it is the greatest and the most encompassing and the clearest opposition of the *Sharī’ah* and stubbornness in the face of its laws and insulting to Allāh and His Messenger and opposing the courts of the *Sharī’ah* on their roots and branches and their types and their appearances and judgements and implementations and references and their applications. So just like the courts of the *Sharī’ah* there are references, all of them returning back to the Book of Allāh and the *Sunnah* of His Messenger صلى الله عليه وسلم like that, these courts have references, which are laws that are assembled from many legislations and laws like the laws of France and America and England and other laws and from the *Mathāhib* of some of the innovators who claim to be under the *Sharī’ah*. And these courts are now fully operational in the settlements of *Islām*, people entering them one after another, their rulers judge upon them with what opposes the *Sunnah* and the Book with the rules of that law and they impose that on them and approve it for them. **So what *Kufr* is there beyond this *Kufr* and what nullification of the *Shahādah* of *Muhammadar Rasūl-Allāh* is there beyond this nullification?!** And mentioning the evidences for all of what has been mentioned is already known. So O you people of intelligence and O you people of intellect, how can you be pleased with these laws of people who are equal to you being forced upon you and the thoughts of people who are equal to you or even less than you and from whom, mistakes are possible to emerge? And even their mistakes are greater than their successes by far. Rather, there is nothing correct in their *Hukm* except that which has been taken from the *Hukm* of Allāh and His Messenger – that which no mistake can come close to and no falsehood can approach it from in front of it or behind it, the Revelation of the *Al-Hakīm Al-Hamīd* (i.e. The Most Knowledgeable, The Praiseworthy) and the submission of the people to the *Hukm* of their Lord is submission to the One who created them for them to worship Him. **So just as the creation does not prostrate to other than Allāh and does not worship except Him, likewise it is *Wājib* for them not to submit or obey except the *Hukm* of *Al-Hakīm*, *Al-‘Alīm*, *Al-Hamīd*, *Ar-Ra’ūf*, *Ar-Rahīm* and not the *Hukm* of the wrong-doers and the ignorant ones who have been destroyed by doubts and desires and misunderstandings and about those whom, unawareness and darkness and hard-heartedness has enveloped their hearts. So it is *Wājib* upon the people of intelligence to steer themselves away from this because of what it contains from enslaving themselves and them being judged by desires and mistakes and on top of that, it is *Kufr* by the text of His, *Ta’āla*’s saying: ‘And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*.’”²²⁴**

5. ‘Abdullāh Ibn Muhammad Al-Ghunaymān:

When asked, “The one who leaves the *Hukm* by what Allāh revealed; if he makes the general judgements with the fabricated laws, does he disbelieve? And is there a difference between that and the one who judges with the *Sharī’ah* but then he opposes the *Sharī’ah* in some of the matters due to desire or bribery or other than that?” So he answered, “**Yes, it is *Wājib* to differentiate between them. There is a difference**

²²⁴ “*Tahkīm Al-Qawānīn*”

between the one who throws away the *Hukm* of Allāh, *Jalla Wa 'Alā* and replaces it with the laws and the judgement of mankind. This is *Kufr*, which takes one outside the *Millah* of *Islām*. But the one who is *Multazim* (i.e. religiously committed) upon the *Dīn* of *Islām* except that he is disobedient and a *Thālim* by following his desires in some of the *Ahkām* and goes after a benefit from the *Dunyā*, while accepting that he is *Thālim* with this, then this is not *Kufr*, which takes you out of the *Millah*. And whoever sees the *Hukm* with the laws to be equal to the *Hukm* of the *Shara'* and makes it *Halāl*, then he also disbelieves with the *Kufr* that takes one outside the *Millah*, even if it is in one instance.²²⁵

6. 'Abdur-Razzāq 'Afiḥ:

In his letter concerning the different conditions of those who do not rule by what Allāh revealed, "The first: Whoever does not try his utmost in that and he does not ask the people of knowledge and worships Allāh without perception or he rules between the people in this matter, then he is a sinner and astray. He deserves punishment if he does not repent and Allāh does not cover him from His mercy. Allāh *Ta'āla* said: '**And do not stand upon that which you have no knowledge in. Verily, the hearing and eyesight and the intellect: all of those will be asked about.**'

"The second: And like that is the one who knows the truth and is pleased with the *Hukm* of Allāh but he is overtaken by his desires occasionally. So he acts upon them by himself or he judges between the people in some of the matters with that which opposes what he has learned from the *Sharī'ah* due to desire or bribery, for example. Then he is sinful but not a *Kāfir* with the *Kufr* which removes one from *Islām*, as long as he accepts that he has done wrong and does not insult the *Shara'* of Allāh and does not have a negative opinion of the *Shara'* of Allāh. But he hates what has come from himself and he sees that all the goodness and benefit is in acting according to the *Hukm* of Allāh, *Ta'āla*. It is narrated by Al-Hākim from Buraydah, may Allāh be merciful to him, from the Prophet صلى الله عليه وسلم that he said, 'Two judges are in the Fire and one is in the *Jannah*. A judge who knows the truth and judges with it, then he is in the *Jannah* and a judge who knows the truth but he does wrong intentionally or judges without knowledge. Then they are both in the Fire.'

"Thirdly: The one who is attributed to *Islām* and knows its laws and then fabricates for the people, laws and makes them an institution for them to conduct themselves by and to take their judgements to and he knows that it opposes the laws of *Islām*. Then he is a *Kāfir* out of the *Millah* of *Islām*.

"And like that is the *Hukm* concerning the one who orders a committee or committees to be formed for that and the one who orders the people to take their judgements to these institutions or laws or makes them take the judgements to them, while he knows that they oppose the *Sharī'ah* of *Islām*. And like that is the one who judges with it and implements it upon the matters and the one who obeys them in these judgements out

²²⁵ "*Mujalit Al-Mishkāṭ*", Vol. 4/247

of his own choice, while he knows that it opposes *Islām*. So all of these are partners in their turning away from the *Hukm* of Allāh.

“But some of them forbade legislations that they oppose the legislations of *Islām* with and nullify it, while having knowing this. And some of them, by ordering its implementation or holding the *Ummah* to act upon it or putting this *Hukm* between the people or enforcing the *Hukm* according to it.

“And some of them, by obeying the *Walī* and being pleased with what they have legislated for them from that which Allāh did not give permission for and He did not reveal.

“So all of them have followed their desires without guidance from Allāh and Iblīs told the truth to them about his opinion and they followed him. And they were all partners in their deviation, their atheism and *Kufr* and *Tughyān* so they will not be benefited by their knowledge of the *Shara'* of Allāh and their beliefs of what it contains, while they turn away from it and their replacing of His laws with a legislation from themselves and implementing it and taking the judgment to it, just as Iblīs is not benefited by his knowledge of the truth and his belief in it, while he turns away from it and does not surrender to it and follow it.”²²⁶

10. ‘Abdur-Rahmān Ibn Muhammad Ibn Qāsim:

“Like the ones who rule with the laws of *Jāhiliyyah* and the international laws, rather even one who rules by other than what Allāh revealed, **whether he rules with the laws or with something which has been invented that is not from the *Shara'* or affirmed in the *Hukm*, then he is a *Tāghūt* from the greatest *Tawāghūt*.**”²²⁷

11. Hamad Ibn ‘Atīq An-Najdī:

While explaining the different nullifications of *Islām* and then he mentioned: “And the Fourteenth Matter is Taking the *Hukm* to Other than the Book of Allāh and His Messenger **صلى الله عليه وسلم**.” And then he mentions the *Fatwā* of Ibn Kathīr under the *Āyah*: “**Is it the *Hukm* of *Jahiliyyah* which they seek?**”, which we have narrated earlier. Then he said, “And like this is what the general people of the Bedouins and those like them fell into with regards to taking the *Hukm* to the customs of their forefathers and that which their ancestors established from the cursed customs, which they label ‘The *Sharī’ah* of *Ar-Rifāqah*’ they put it before the Book of Allāh and the *Sunnah* of His Messenger. **So whoever does that; then he is a *Kāfir* and it is *Wājib* to fight him until he returns to the *Hukm* of Allāh and His Messenger.**”²²⁸

12. Abdullāh Ibn Humayd:

²²⁶ “*Shubuhāt Hawl As-Sunnah Wa-Risālat Al-Hukm Bi Ghayri Mā Anzal Allāh*”, Pg. 63-65

²²⁷ From his commentary on “*Al-Usūl Ath-Thalāthah*”, Pg. 96

²²⁸ “*Majmū’at At-Tawhīd*”, Pg. 412

“And whoever makes a general legislation (*At-Tashrī’ Al-‘Ām*) and implements it upon the people which opposes the *Hukm* of Allāh, then this one leaves the *Millah* as a *Kāfir*.”²²⁹

13. Muhammad Hāmid Al-Fiqqī:

He said after quoting the words of Ibn Kathīr in the *Tafsīr* of His, *Ta’āla*’s saying: **Is it the *Hukm* of *Jahiliyyah* that they seek?**’ he said:

“And like this and (even) worse than this are the ones who take the words of the Europeans as laws, which they judge with in matters concerning blood and wealth and they put that before that which they know and has been made clear to them from the Book of Allāh and the *Sunnah* of His Messenger صلى الله عليه وسلم. **So he, without a doubt, is a *Murtadd* if he continues upon that and does not return to the ruling with what Allāh revealed and he will not be benefited by any name which he labels himself with and neither by any outward action that he does from the outward actions from *Salāt* or *Siyām* or anything else!**”²³⁰

So again, we find a plethora of clear statements wherein is an explanation regarding *At-Tashrī’ Al-‘Ām* and ruling by other than what Allāh revealed which was somehow missing from the quotations from Khālīd Al-‘Anbarī and his blind followers at www.salafipublications.com. So when will the likes of these shallow child-like ignoramus repent unto Allāh for their deception and injustice regarding the statements of the ‘*Ulamā*’ and the students of knowledge?!

As for “The ‘Anbarī Papers: Part 6”, this is not a translation of the writings of Khālīd Al-‘Anbarī. Rather it is his responses to specific questions from other individuals. And the vast majority of the points raised therein have already been addressed throughout this project already. So we have refrained from entering into repetition and redundancy and have excluded this section from our refutation here.

Therefore, we will close with the *Fatwā* of Hamūd Ibn ‘Uqlā’ Ash-Shu’aybī may Allāh be merciful to him, which gives a harsh and scathing indictment of the misguided Khālīd Al-‘Anbarī and makes clear his deception, and incomplete narration and explains several misconceptions which have been caused by his book and the spreading of his concepts by the likes of www.salafipublications.com and its authors and avid readers:

²²⁹ Extracted from the Book, “*Ahamiyyat Al-Jihād*” by ‘Alī Ibn Nafī’ Al-‘Ilyānī Pg. 196

²³⁰ “From the *Hāmish* (i.e. commentary) of “*Fat’h Al-Majīd*”, Pg. 406

The Refutation Against the Lies of Al-'Anbarī and the Clarification of the *Fasād* of The Basis of his *Math'hab* in *Al-Irjā'*

Written by the *Shaykh* Hamūd Ibn 'Uqlā' Ash-Shu'aybī 1421 H. ²³¹

Praise be to Allāh Lord of the Worlds, and the reward is for the *Muttaqīn*, and there is no enmity except against the *Thālimīn*, and I bear witness that there is no one worthy of worship except Allāh, alone and he has no partner, the God of the first and the last and I bear witness that Muhammad is His slave and His Messenger. May Allāh send blessings upon him and his family and his companions collectively, and to proceed:

I have looked at all of the sayings of Khālīd Al-'Anbarī and it has become clear to me by my reading of these sayings and some of his books that he is a *Murjī'ī* from the pure *Murjī'ah*; the ones that are under the school of thought of Jahm Ibn Safwān in *Irjā'*.

That is the school of thought which – from it's *Usūl* – is that no one disbelieves except with rejection (*Juhūd*) or *Istihlāl*, but as far as the one who knows Allāh and approves of Him, then he does not disbelieve and he does not leave the *Millah*. And this going astray has spread in this era, and this spreading wasn't due to anything accept for him and the likes of him, so they have went astray and made people go astray.

And Khālīd Al-'Anbarī has lied upon the '*Ulamā'* of the *Ummah* and it's *Imāms*, the ones who see the *Kufr* of the one who rules with the fabricated laws. From those *Imāms* is our *Shaykh*; the *Shaykh*, the *Imām*, the *Mujāhid* Muhammad Ibn Ibrāhīm Āl Ash-Shaykh, may Allāh be merciful to him. And Al-'Anbarī has lied and changed and acted with the words of our *Shaykh* and lied upon him in many instances as it will become clear shortly. And he wanted to trick the people into thinking that the *Shaykh* sees that the ruling with fabricated laws needs explanation, and that he doesn't disbelieve unless he rejects and believes and makes that *Halāl* only, but if he rules with the fabricated laws without this then he isn't a *Kāfir*. And far as his lies they are as follows:

The first lie: Al-'Anbarī mentioned in his book (i.e. *Al-Hukmu Bi Ghayri Mā Anzal Allāh Wa Usūl At-Takfīr*) on page 131 from the *Risālah* of the *Shaykh* Muhammad Ibn Ibrāhīm "*Risālat Tahkīm Al-Qawānīn*", he said, "Verily in this *Risālah* there is what indicates a clear indication that there is *Tafsīl*." And he means by *Tafsīl* what Al-'Anbarī goes on to say – which is that the ruling with fabricated laws; the one who does this does not disbelieve except with *Juhūd* or *Istihlāl*. And the text that he narrated was as follows: "So look how Allāh *Ta'āla* recorded upon the rulers with other than what Allāh revealed the *Kufr* and the *Thulm* and the *Fusūq* and from that which is not possible is that Allāh calls the ruler with other than what Allāh revealed a *Kāfir* and then he not be a *Kāfir*, rather he is a total *Kāfir*, either *Kufr 'Amalī* or *Kufr I'tiqādī*. And what has come from Ibn 'Abbās

²³¹ And this was the title of the *Shaykh*'s *Fatwā* itself. We have not given this *Fatwā* any other title than the one it was written with.

in the *Tafsīr* of this *Āyah* from the narration of Tāwūs and others indicates that the ruler with that which Allāh did not reveal is a *Kāfir*; either *Kufr I'tiqādī* – that removes you out of the *Millah*, or *Kufr 'Amalī* – that does not take you out of the *Millah*.” And what he narrated is finished letter for letter. However, he left what the *Shaykh* narrated and wrote after this, concerning the fabricated laws as the *Shaykh* said, “As for the first; (which is) that the ruler with that which Allāh did not reveal, rejects the right of Allāh and his Messenger’s *Hukm*. The second; that the ruler by other than what Allāh revealed does not actually reject the fact that the *Hukm* of Allāh and His Messenger is the truth yet he believes that the *Hukm* of other than the Messenger is superior to his (i.e. the Prophet’s صلى الله عليه وسلم) *Hukm* and more encompassing. The third, that he does not believe that it is superior to the *Hukm* of Allāh and His Messenger yet he believes that his (own) *Hukm* is equal to it. The fourth; that he does not believe that the *Hukm* of the one who rules by other than what Allāh revealed is equal to the *Hukm* of Allāh and His Messenger – and certainly not better than the *Hukm* of Allāh and His Messenger, yet he believes that it is permissible to rule with that which opposes the *Hukm* of Allāh and His Messenger. The fifth; and it is the greatest and the most encompassing and the clearest opposition of the *Sharī'ah* and stubbornness in the face of its laws and insulting to Allāh and His Messenger and opposing the courts of the *Sharī'ah* on their roots and branches and their types and their appearances and judgements and implementations and references and their applications. So just like in the courts of the *Sharī'ah* there are references, all of them returning back to the Book of Allāh and the *Sunnah* of His Messenger صلى الله عليه وسلم, like that, these courts have references, which are laws that are assembled from many legislations and laws like the laws of France and America and England and other laws and from the *Math'hab* of some of the innovators who claim to be under the *Sharī'ah*. – until he said – So what *Kufr* is there beyond this *Kufr* and what nullification of the *Shahādah* of *Muhammadar Rasūl-Allāh* is there beyond this nullification?!”

So look at Al-‘Anbarī! He wants, with his aforementioned quotation, to reveal to you that the *Shaykh* does not make *Takfīr* concerning the fabricated laws. Even though here, he says concerning them, “So what *Kufr* is there beyond this *Kufr*,” meaning the ruling with the fabricated laws.

The second lie: Al-‘Anbarī mentions in his sayings in the first statement, he said, “I have found other words of the *Shaykh* (i.e. Muhammad Ibn Ibrāhīm) in his *Fatāwa* Vol. 1/80. He (i.e. Muhammad Ibn Ibrāhīm) says words more clear than to need clarification dated 9/1/1385 five years after the publication of the “*Risālat Tahkīm Al-Qawānīn*”. And soon we will quote the words of *Ash-Shaykh* Muhammad, but the point is that here he intended to convince the reader that the *Shaykh* turned back from his *Fatwā* concerning the fabricated laws and for this, he mentioned the date after it by five years so the letter abrogates the first saying, while he mentioned the same saying, “...and I do not say that he changed his opinion...” Yet, after that by about a few lines, he says that the *Shaykh* changed his mind so that he can mislead (the reader) and make it seem like he did actually change his mind. So he claims that he does not say that he (i.e. Muhammad Ibn

Ibrāhīm) changed his mind and then he lies upon the *Shaykh* Muhammad that he (did actually) change his mind.²³²

The third lie: that when he quoted him as having changed his mind, as he assumes from the *Fatwā* of *Shaykh* Muhammad Vol. 1/80, Al-‘Anbarī said that the text of him changing his mind is, “And like that is the manifestation of the meaning ‘Muhammad is the Messenger of Allāh’ from ruling with his *Sharī’ah* exclusively and discarding what opposes it from laws and conditions and other things which Allāh did not reveal and that the one who rules with it or takes the judgement to it, believing that it is right and believing that it is permissible then he is a *Kāfir* with the *Kufr* which removes one from the *Millah*. And if he does that without believing that and that it is permissible, then he is a *Kāfir* with the *Kufr Al-‘Amalī*, which does not remove one from the *Millah*.” Al-‘Anbarī said, “So this clear explanation from the *Shaykh Al-‘Allāmah* Muhammad Ibn Ibrāhīm, may Allāh be merciful to him, is what I have based my book upon and I faced (i.e. opposed) the ones who make *Takfīr* to the *Hākim* unconditionally.” And this lie is responded to with answers:

How is it that the *Shaykh* would change his mind and it was unknown and not spread among his students and among the people? And if there was a change in his opinion, it would have not have been hidden from the *Shaykh* Muhammad Abdur-Rahmān Al-Qāsim, the compiler of the *Fatāwa* of *Shaykh* Muhammad Ibn Ibrāhīm and his books. As well, he even mentioned the “*Risālat Tahkīm Al-Qawānīn*” in the latter editions of the (published) *Fatāwa*. Even his student, the one who collected the *Fatāwa*, narrated the approval of *Shaykh* Muhammad in Vol. 12/284. *Shaykh* Muhammad said, “...And the laws are *Kufr*, which takes one outside the *Millah* believing that they are *Hākimah* (i.e. applicable) and some of them see it greater.” Then he said, “As for the one who puts laws in order and to be submitted to, then this is *Kufr* even if they say, ‘We have made a mistake. And the *Hukm* of the *Shara’* is more just,’ because there is a difference between the one who approves and the implementation and the reference. They made it a reference and this is *Kufr*, which takes one outside the *Millah*.” And Al-Qāsim also narrated under the chapter heading “Ruling with the Laws is from the *Kufr Al-Akbar*”, and then proceeds to quote from the same “*Risālat Tahkīm Al-Qawānīn*”. So if there were any change of opinion, he would have made that clear or he would have omitted this *Risālah* and certainly would not have included it in the volumes which succeeded the volume which

²³² And the point of *Shaykh* Hamūd here is that Al-‘Anbarī first claims that he is not trying to convince his reader that *Shaykh* Muhammad Ibn Ibrāhīm changed his opinion but then he immediately mentions that he has found some “other words” – which is intended to mean “words with opposite meaning” – which were written by the *Shaykh* five years after the publication of the “*Risālat Tahkīm Al-Qawānīn*”. And he then attempts to use these “other words” to give strength to his own opinion, which is that the ruler who legislates and rules with fabricated laws that oppose the *Sharī’ah* does not disbelieve unless he considers that permissible or he rejects the laws of the *Sharī’ah*. And so his statement, “...and I do not say that he changed his opinion...” is in fact abrogated by the fact that he brings words which he attempts to interpret as being in agreement with his own opinion and then punctuates that by mentioning that these words were written five years after the *Shaykh*’s earlier words which do not comply with the opinion of Al-‘Anbarī. And so he is, by implication, claiming that Muhammad Ibn Ibrāhīm did, in fact, change his mind to the opinion that Khālīd Al-‘Anbarī holds and because of this, we are not sure which is the bigger lie: his lie that *Shaykh* Muhammad Ibn Ibrāhīm changed his opinion or his lie that he wasn’t trying to claim that the *Shaykh* changed his mind!

has been claimed to contain a change of opinion. And how would the *Shaykh* change his opinion from a general *Fatwā*, which became clear and widespread to that which would be contained in a specific letter written to a specific group?! It would have been more likely that he would change his opinion in a general letter because the text – wherein Al-‘Anbarī claims to contain a change of opinion – is within a specific letter of response which he wrote to the central committee of ‘*Ulamā*’ in Deli wherein he praises the committee and its aims to bring about a benefit. And we see that the “*Risālat Tahkīm Al-Qawānīn*” has been published multiple times and if there were a change of opinion, then its publishing would not have been repeated. The *Shaykh* Abdullāh Ibn Jibrīn, may Allāh preserve him, is from the students of the *Shaykh* and he objected to those who claimed that *Ash-Shaykh* Muhammad Ibn Ibrāhīm changed his opinion like it is (written) in his commentary upon the words of Al-‘Anbarī and they are in the first saying of Al-‘Anbarī. And also, *Al-Lajnah Ad-Dā‘imah Lil Buhūth Al-‘Ilmiyyah Wal-Ifṭā’*; have declared about the book of Al-‘Anbarī “*Al-Hukmu Bi Ghayri Mā Anzal Allāh Wa Usūl At-Takfīr*,” “Lying upon the people of knowledge. From that, him attributing to the ‘*Allāmah Shaykh* Muhammad Ibrāhīm Āl Ash-Shaykh, that which he did not say.”

We will now return to the text, which Al-‘Anbarī claimed contains a change of opinion and we will mention how it relates and its full text and it is in the *Fatāwa* of *Shaykh* Muhammad Vol. 1/78. And it is a letter of reply sent to the General Secretary for the Central Committee of ‘*Ulamā*’ (in) Deli. The committee decided to call upon the *Islāmic* committees and determine the opinions of its members concerning the laws, which are implemented for the sake of benefit in the *Dīn* and the society, which are suitable for the *Islāmic* education and etiquettes while planning to raise general laws for the Muslims in India. So they asked *Ash-Shaykh* Muhammad questions concerning *Fiqh* so that they might benefit from his opinion concerning them (i.e. those issues). So he answered their *Fiqh* related questions but firstly, he made an introduction before proceeding with the answers: “I would like to like to begin with a small introduction. From the things which please us and please every Muslim with *Ghīrah* ²³³ about his *Dīn* is that we find committees whose goal is to correct the conditions and to hold onto the basis of the *Dīn* and its noble teachings. And also to wage war against everything, which opposes the *Islāmic Sharī‘ah* from innovations and heresies and lies. And also, (to wage war against) what is even more important than that, concerning what the atheists and *Zanādiqah* ²³⁴

²³³ **Gīrah:** Emotions related to the rights of the person and the *Dīn* (i.e. becoming enraged when *Islām* is disrespected)

²³⁴ **Zanādiqah:** plural of *Zandīq*, which is a *Munāfiq* whose *Kufr* is seen and yet claims to be upon *Islām*. Abū Idrīs narrated, “People from the *Zandīqah* who had apostated were brought to ‘Alī. He asked them (about their *Kufr*) and they denied it so it was made clear to them (that they truly were upon *Kufr*). He (i.e. Abū Idrīs) said, “So he killed them without giving them time to repent (and return to *Islām*). He (i.e. Abū Idrīs) said, “A man who was a Christian and became a Muslim but later apostated, was brought before him (i.e. ‘Alī) and he asked that man (about his apostasy) and that man admitted to what he had done. Then (‘Alī) asked him to repent and it was said to him (i.e. ‘Alī), “Why did you ask him to repent but you didn’t ask the others to repent?” He said, “This one admitted what he had done but those others did not admit it and they even denied (their *Kufr*) until it was proven to them. So this is why I did not give them time to repent.” And according to another narration, “Do you know why I asked the Christian to repent? I asked him to repent because he (openly) showed his religion but the *Zandīqah* – those, who required it to be

and Orientalists and others who attempt to enter into the beliefs of some of the Muslims by giving them doubts in the basis of their *Dīn* and causing them to go astray from the *Sunnah* of their Prophet and his *Sharī'ah* and ruling with the fabricated laws, which oppose the *Islāmic Sharī'ah*. And more importantly, knowing the basis of the *Tawhīd*, which Allāh sent His Messenger with and implementing it through knowledge and action and waging war against that which opposes it from *Shirk Al-Akbar*, which takes you outside the *Millah* or from the types of *Shirk Al-Asghar*. And like that is the manifestation of the meaning 'Muhammad is the Messenger of Allāh' from ruling with his *Sharī'ah* exclusively and discarding what opposes it from laws and conditions and other things which Allāh did not reveal and that the one who rules with it or takes the judgement to it, believing that it is right and believing that it is permissible then he is a *Kāfir* with the *Kufr* which removes one from the *Millah*. And if he does that without believing that and that it is permissible, then he is a *Kāfir* with the *Kufr Al-'Amalī*, which does not remove one from the *Millah*." – completed word for word.

So *Ash-Shaykh* Muhammad spoke twice about the laws. In the first instance, he said, "...the laws..." and he added to that, "...the fabricated..." and he considered the fabricated laws from the handiwork of the atheists and *Zanādiqah* and Orientalists, who have entered them upon the Muslims. So he encouraged the committee to wage war against it out of defence of the Muslims and he mentioned the fabricated laws here, under the category of the manifestation of '*Ulūhiyyah*' and the meaning of '*Lā Ilāha Illā Allāh*.' As for the second instance where he mentioned the laws, is was under the category of the manifestation of '*Muhammadan Rasūl Allāh*.' And the point of concern here is that he did not add the word "fabricated". Rather, he only added to it other things such as "...laws and conditions and other things which Allāh did not reveal..." So he meant by "...the laws and conditions...", innovations that the innovator adds, which nullifies the manifestation of the following of the Messenger. And he added to these laws and these conditions an explanation because it is from the category of *Bid'ah*. So he mentioned the laws twice; once in the meanings of the manifestation of the meaning of '*Lā Ilāha Illā Allāh*' and once in the meaning of the manifestation of the meaning of '*Muhammadan Rasūl Allāh*.' For this, they are two manifestations so their meanings are different. Otherwise, it would have been redundant. Also, in the first, he added to it, "...the fabricated..." and the second is isolated. He only added to it the "...conditions and other things which Allāh did not reveal..." and in this, there was a need of an explanation. In any matter, this is an explanation based upon the positive assumption of the *Shaykh* Muhammad and also based upon his *Fatwā* concerning the fabricated laws and the fact that we let his words explain one another. This is more fitting than having his words contradict one another and claiming the change of opinion and contradiction and difference.

His lying upon our *Shaykh* Muhammad Al-Amīn Ash-Shanqītī, may Allāh be merciful to him:

proven to them, rejected (the charge). So I killed them because they denied it until it was proven to them."
– Narrated by Ibn Taymiyyah in "*As-Sāram Al-Maslūl 'Alā Shātim Ar-Rasūl*", Pg. 360

Al-'Anbarī quoted in his book "*Al-Hukmu Bi Ghayri Mā Anzal Allāhu Wa Usūl At-Takfīr*," on Pg. 70-71 and attempted to dupe (his reader) that *Ash-Shaykh* Ash-Shanqītī does not see the fabricated laws as *Kufr* as he narrates the words of our *Shaykh* Ash-Shanqītī. And he is from the '*Ulamā*' that Al-'Anbarī claims do not make *Takfīr* concerning the fabricated laws except with *Juhūd* and this quotation which he mentions from Ash-Shanqītī: "And know that the reason for this part of the project is that *Al-Kufr* and *Al-Thulm* and *Al-Fisq*; all of these have been used in the *Shara*' sometimes intending sins and other times, the *Kufr* which removes one from the *Millah*. **'And whosoever does not judge by what Allāh has revealed, such are the *Kāfirūn*,**' opposing the Messengers and abandoning the laws of Allāh, then his *Thulm* and his *Fisq* does not take him outside the *Millah*." However, here he does not even mention the fabricated laws and Al-'Anbarī omitted the words of our *Shaykh* Ash-Shanqītī, which are clear concerning the fabricated laws as he said in his *Tafsīr* of *Sūrat Al-Kahf*, about the *Āyah*: **'And He makes none to share in His *Hukm*.'** So he said, "And with these Heavenly texts that we have mentioned, it becomes quite clear that the ones who follow the fabricated laws, which the *Shaytān* has legislated upon the tongues of his '*Awliyā*' and which oppose that which Allāh, *Jalla Wa 'Alā* has legislated upon the tongues of His Messengers (P.B.U.T.) that no one doubts their *Kufr* and their *Shirk* except him who Allāh has removed his sight and has blinded them to the light of the revelation as they are!" And then Ash-Shanqītī says immediately, "Take note: Know that it is *Wājib* to differentiate between the invented institutions, which are *Kufr* in the Creator of the Heavens and Earth to judge according to them and between the institutions, which aren't." Then he said, "As for the legislative institutions, which contradict the legislations of the Creator of the Heavens and the Earth, then judging with these is *Kufr* in the Creator of the Heavens and the Earth." Then he mentioned some of their laws concerning inheritance and marriage and *Hudūd* and how they oppose the *Shara*'. Then he says, "So ruling by institutions such as these upon individuals and the society and their wealth and their property and minds and *Dīn* is *Kufr* in the Creator of the Heavens and the Earth..." So how could he (i.e. Al-'Anbarī) omit these clear words concerning the fabricated laws for other than them?!

His lie upon the *Imām* Ibn Kathīr, may Allāh be merciful to him:

As he quotes from him texts, which he uses to deceive (his reader) to show that he (i.e. Ibn Kathīr) is among those who do not make *Takfīr* concerning the fabricated laws as he quotes from him on Pg. 69 among those who, he claims, do not make *Takfīr* concerning these laws. Even though Ibn Kathīr has clear words concerning the *Yāsiq* of the Tartars stating that it is a collection of fabricated laws and he made *Takfīr* with that – even going as far as narrating an *Ijmā*' upon this (matter) as he said, may Allāh be merciful to him, in his *Tafsīr* of the *Āyah*: **'Is it the *Hukm* of *Jahiliyyah* that they seek?'** (*Sūrat Al-Mā'idah*, 50) He said, "Allāh, *Ta'āla* makes condemn those who turn away from Allāh's *Sharī'ah*; the laws that are good for the Muslims; the laws that forbid what is evil. Allāh rejects those who follow laws of personal desires and who adopt laws of *Kufr* such as the laws enforced by the Tartars who were under the control of Genghis Khan, their King. These laws were a mixture of Judaism, Christianity and laws chosen by their King which suited his desires. Should we prefer these laws over the *Sharī'ah* of Allāh and His Prophet *صلى الله عليه وسلم*?! Whoever does this is a *Kāfir* and killing him is *Wājib*!"

And Ibn Kathīr said in “*Al-Bidāyah Wan-Nihāyah*”, Vol. 13/118-119, “So whoever leaves the clear *Sharī’ah*, which was revealed to Muhammad Ibn ‘Abdillāh, the Seal of the Prophets, and takes the *Hukm* to other than it from the laws of *Kufr* which are abrogated, he has disbelieved. So what about the one who takes the *Hukm* to the ‘*Yāsiq*’ and puts it before it?! Whoever does that, he has disbelieved by the *Ijmā’* of the Muslims!”

The other matter is how Al-‘Anbarī quotes the words of ‘*Ulamā*’ who did not see the era in which the ruling with fabricated laws were introduced, rather they died before it. So he quotes their words (trying to) mislead and demonstrate that they (i.e. those whom he quotes) were upon his *Math’hab* in that no one disbelieves with the ruling of the laws unless he makes *Juhūd* or makes that *Halāl*.

And this era, which came upon the Muslims – that is the ruling with the fabricated laws, did not occur except in the era of the Tartars during the time of Ibn Taymiyyah and Ibn Kathīr. So he avoids quoting the words of these two *Imāms*, which (clearly) show the *Kufr* of those who take the *Hukm* to the “*Yāsiq*”. And instead, in his aforementioned book, on page 138, he mentions that the *Takfīr* of Ibn Kathīr and Ibn Taymiyyah towards the Tartars, was due to them possessing other nullifications besides the “*Yāsiq*” even though the words of Ibn Kathīr are clear that the ruling concerning them was based upon the “*Yāsiq*”. Then this era fell (upon the Muslims) again and that was the era of ruling with the (fabricated) laws of the West during the military colonisation period of the *Islāmic* world when they brought their courts of law. So the ‘*Ulamā*’ who lived during this era spoke about it such as *Shaykh* Ahmad Shākir as he said during his verification of “*Tafsīr Ibn Kathīr*” of the *Āyah*: **‘Is it the *Hukm* of *Jahiliyyah* that the seek?’** He said, “The matter in these fabricated laws is clear with the clearness of the sun. It is clear *Kufr* and there is nothing hidden about it and there is no excuse for anyone who attributes themselves to *Islām*, whoever they may be, to act according to it or to submit to it or to approve of it.”

And also, *Ash-Shaykh* Mahmūd Shākir, whom Al-‘Anbarī attempted to – in his book on page 131 – deceive (the reader) into thinking that he does not make *Takfīr* for the fabricated laws except to the one who rejects (the *Sharī’ah* laws).

Ash-Shaykh Mahmūd Shākir said – and his brother Muhammad Shākir narrated his words from him in “*Tafsīr Ibn Kathīr*”, Mahmūd Shākir said, “...and their (the *Ibādhiyyah*’s) question wasn’t about what the innovators of our time argue with. They were asking about the act of the judges in blood, money and property who went away from the *Sharī’ah* occasionally (based upon their occasional whims or desires) not about those who bring about a new legislation of laws upon the people of *Islām* and ruling with the *Hukm* of other than what Allāh revealed in His Book or upon the tongue of His Messenger صلى الله عليه وسلم. This action is turning away from *Hukm* of Allāh, being displeased with His *Dīn* and being influenced by the laws of the people of *Kufr* instead of the laws of Allāh. This is (the type of) *Kufr* that there is no doubt about from the people of the *Qiblah* in declaring *Takfīr* upon the one who says it, does it or calls to it.” And like

our *Shaykh* Muhammad Ibn Ibrāhīm , when he ruled concerning the fabricated laws and like our *Shaykh* Muhammad Ash-Shanqītī – all of them as well as others from those who lived during the eras of the fabricated laws – it is more deserving that he (i.e. Al-'Anbarī) would take from their words concerning the laws. But instead, he brings other words concerning these laws to make one assume that they are upon his *Math'hab* and his belief that the one who rules with these laws, does not disbelieve except with making it *Halāl* or with the rejection (of the *Sharī'ah* laws), therefore it would only be a major sin. Al-'Anbarī even goes further than that to claim that there is *Ijmā'* that the one who rules by other than what Allāh revealed with the laws in *At-Tashrī' Al-'Ām* does not disbelieve except for the one who makes it *Halāl*, knowing that Al-'Anbarī does not differentiate between the ruling by other than what Allāh revealed due to desire (i.e. in particular instances) or with the fabricated laws (in general); both of them being the same according to him. And if he narrated the *Ijmā'*, then he means all of them and he does not differentiate.

But as for the '*Ulamā'* of *Islām*, they *have* differentiated. And if they mention the ruling by other than what Allāh revealed, here they differentiate concerning the one who does it due to desire but if they speak about the fabricated laws, they do not differentiate between the one who makes it *Halāl* and the rejecter or the one who does it due to desire, just as the approval (of this concept) has passed of Muhammad Ibn Ibrāhīm. As he said, "As for the one who puts laws in order and to be submitted to, then this is *Kufr* even if they say, 'We have made a mistake. And the *Hukm* of the *Shara'* is more just,' because there is a difference between the one who approves and the implementation and the reference. They made it a reference and this is *Kufr*, which takes one outside the *Millah*." And like that, is what we have narrated from Ibn Kathīr that he made *Takfīr* of them (i.e. the tartars) (due to) taking the *Hukm* (to the *Tāghūt*) so refer to his saying. And like him, is our *Shaykh* Ash-Shanqītī and the two sons of Shākir and other than them. All of them did not differentiate concerning the fabricated laws.

This is what we have been able to put together as a refutation against him, quickly and busily and we ask Allāh to guide all towards what he loves and is pleased with and to let Al-'Anbarī and the likes of him, from the *Murji'at Al-'Asr* (i.e. the *Murji'ah* of our era) return to the *Math'hab* of the *Salaf* of the *Ummah*. Verily, He is able to do all things. And may Allāh bless our Prophet Muhammad and his family and his companions altogether.

Dictated by Hamūd Ibn 'Uqlā' Ash-Shu'aybī

The teacher formerly in the faculty of the *Sharī'ah* and *Usūl Ad-Dīn* in the *Islāmic* University Muhammad Ibn Sa'ūd, the branch of Al-Qasīm
20/04/1421 H.

Closing comments:

So we will conclude this project here and will finalise our position by addressing some issues, which might have entered the mind of the reader during the reading of this project.

Concerning the issue of *Shaykh* Muhammad Nāsir Ad-Dīn Al-Albānī, the reader might wonder why we spent so much time quoting and refuting his points in an article which was intended to address a book and series of articles by Khālīd Al-'Anbarī. The reason is because of those individuals such as Khālīd Al-'Anbarī and other than him who throw his name around and mention how his opinion on the issue of ruling by other than what Allāh revealed, is the same as that of Al-Albānī, may Allāh be merciful to him. So they hide behind the name of this well-known scholar and imply by association that if we are to hold them as misguided, then this would mean that we are saying the same thing about this scholar (i.e. Al-Albānī). And for this precise reason we have chosen to address the subject of *Irjā'* in the teachings of Al-Albānī in order to illustrate the weakness of this defence which have been employed by Al-'Anbarī and other than him. And if it weren't for the constant uttering of the name of the noble *Shaykh* Nāsir, may Allāh be merciful to him, then we would not have even raised the issue ourselves. We also chose to quote from the cassette that we came across because it clearly demonstrated Khālīd Al-'Anbarī seeing and hearing the *Irjā'* with his own eyes and ears in the presence of *Shaykh* Nāsir and then his claim that this was a scandalous lie. So we have seen clearly who is the liar and who is deluded in this regard and this all came about from the challenges of Al-'Anbarī himself so he has no one to blame for this other than himself.

Concerning the sources, which we have quoted from, most of these texts have been quoted from their original locations wherein we collected and searched the indexes of the books for the topics we wished to address and this was a lengthy process indeed. And it was for this very reason, along with the translation and word processing that this project took so long to complete. And some of this material is to be found in the compilations of texts of the '*Ulamā'* in the writings of other scholars. But in any case, we have ensured that all references are fully traceable to their original sources for the reader's verification of context and translation. And we encourage the reader who is able, to go to these sources and verify our work.

As for the format, then the reason for our imitation of www.salafipublications.com in their design of the front cover, bolding relevant text and extensive footnotes, then this is nothing less than our wink of recognition to the authors of www.salafipublications.com and the outline in which they chose to spread their corrupt concepts. And we could think of nothing more fitting than to use this identical format to refute, advise and correct them.

Regarding the issue of www.salafipublications.com and what is to be said about them. The truth is that they are, for the most part, upon the truth concerning the various topics of difference in the *Ummah*. However, the issue with them concerning ruling by other than what Allāh has revealed, has become one of the few matters in which they have strayed from the pure teachings of the *Qur'ān* and the *Sunnah*. And because what they have been taught about this issue has become part and parcel of what they perceive

Salafīyyah to be, they have instilled in themselves that their position concerning this topic is what defined them as *Salafīs* and what divides them from what they perceive as the astray sects. And for this reason, they have invented labels and categories for those who oppose them in this issue. Just look at the number of different names, which they have used to revile their opponents: “*Qutubī*”, “*Surūrī*”, “*Takfīrī*”, “*Khārijī*”, “*Political Activist*”, and “*Extremist*”. And this has become a common method from these people in order to discredit the people who differ with them in this issue. And it is precisely this perception that they have of a necessity to attack and revile those who hold the ruler by other than what Allāh revealed, in the sense that he replaces the laws of the *Islāmic Sharī’ah* with the fabricated laws, to be a *Kāfir* – that causes them to set these people in their sights and immediately label them with one of these names. This way, they can maintain the integrity of what they consider *Salafīyyah* and at the same time feel confident that those who they have reviled would not be able to refute them as they hide themselves in the shade of the *Fatāwa* of the honourable *Shaykh* Abdul-‘Azīz Ibn Bāz, may Allāh be merciful to him, and other than him. So when the *Fatwā* of *Al-Lajnah Ad-Dā’imah* comes with a swift indictment of the author of one of their most cherished books, and the tables are turned slightly out of their favour, it has left them feeling particularly vulnerable and therefore, they pour on a campaign of support for this author and his concepts and his books in order to feel secure in the cloak of *Salafīyyah* which, according to them, necessitates that the one who rules with fabricated laws is not a *Kāfir* unless he rejects the *Sharī’ah* or considers his ruling *Halāl* .

And now that the built-up castles of their own design have begun to crumble with the *Fatwā* against Khālīd Al-‘Anbarī and the two against ‘Alī Hasan Al-Halabī, we see them scurrying about in their confusion and doubts and perhaps this is why we were able to find so much evidence against them from their own articles on their own web site. In any case, we would like to extend the invitation to our brothers at www.salafipublications.com to the truth concerning the issue of ruling by other than what Allāh revealed, *Īmān* and *Kufr* and *Takfīr*. And we invite them to the correct understanding of the texts of the *Qur’ān* and *Sunnah* which we have complimented with the words of the likes of Ibn Taymiyyah, Ibn Kathīr, Ibn Hazm, Ibn Al-Qayyim, Muhammad Ibn Ibrāhīm, Ash-Shanqītī, Ahmad Shākir and other than them, may Allāh be merciful to them all.

But we caution you that if you insist upon this doomed course that you have set yourselves upon, then we will oppose and refute you with every method available. And if we fall short in this task, then others will come and replace us in this undertaking because the Messenger of Allāh صلى الله عليه وسلم said, “A group from my *Ummah* will continue to fight upon the truth and remain victorious until the Day of Judgment.”²³⁵

And Allāh, *Ta’āla* said:

²³⁵ Narrated by Al-Bukhārī and Muslim in their “*Sahīhs*” and by others with multiple wordings; the above being the phrasing of Muslim.

وَلَتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ
Let there arise out of you a group of people inviting to all that is good (Islām), enjoining *Al-Ma'rūf* (i.e. Islāmīc Monotheism and all that Islām orders one to do) and forbidding *Al-Munkar* (polytheism and disbelief and all that Islām has forbidden). And it is they who are the successful.²³⁶

And if what has been presented herein is correct and good, then it is from Allāh alone, the Sustainer, the Self-Subsisting. And whatever mistakes exist herein, then verily they are from myself and the *Shaytān*, the rejected, the accursed. And I close with the words: "*Al-Hamdulillāhi Rabbil 'Ālamīn*."

Your brother,
Abū Huthayfah Yūsuf Al-Kanadī
Thul-Qa'dah, 9/1421

Closing Comments to the Second Edition:

Al-Hamdulilāh the second edition if this refutation has been updated and revised by the mercy of Allāh, *Subhānahu Wa Ta'āla*. Many brothers requested this to be done but only recently were we able to complete the task due to commitments to other projects, which seemed to preoccupy our time.

The original edition of this refutation had numerous spelling, and grammar errors, which have hopefully been corrected. And as for the errors as to the order and precision of the translation of certain texts and quotations of scholars etc. we tried to be diligent in these most of all because it was pointed out correctly, by those who agreed with this refutation and even by those who did not that certain passages were incorrectly translated and this was due to our inexperience in working on such projects such as this one. So we seek the forgiveness from Allāh for any errors we made with respect to the texts of the *Sharī'ah* and the rights of the scholars, with respect to their words.

And as we pointed out to one brother who was contacted by someone regarding certain mistakes:

"Secondly, you may reassure this brother that what might occur from mistaken narrations, in whole or in part, on behalf of some, are not necessarily done intentionally at all. This especially applies in cases when the narration undergoes a translation from one language to another and from one medium to another. It is for this reason that I qualified both projects, which you are hosting on your site, with the following encouragement to the reader:

'Concerning the sources, which we have quoted from, most of these texts have been quoted from their original locations wherein we collected and searched the indexes of the books for the topics we wished to address and this was a lengthy process indeed. And it

²³⁶ *Sūrat Āl 'Imrān*, 104

was for this very reason, along with the translation and word processing that this project took so long to complete. And some of this material is to be found in the compilations of texts of the 'Ulamā in the writings of other scholars. But in any case, we have ensured that all references are fully traceable to their original sources for the reader's verification of context and translation. And we encourage the reader who is able, to go to these sources and verify our work." – "A Decisive Refutation of Salafī Publications: PART: I ", Pg.111'

'And I close by saying that this small project has come from me after research and interrupted writing sessions. So I have attempted to reference my source material as thoroughly as possible and I urge the reader to verify our translations and contexts by going to the original texts to validate our narrations and quotations etc." – "A Decisive Refutation of Salafī Publications: PART: II ", Pg. 96'

'So if this brother researched these references and located and identified an error, or errors, in the translation, or an omission or the likes of this, then he has merely followed what the author had suggested him to do in the first place. And by offering *Nasīhah*, then he has followed the statement of the Messenger of Allāh, صلى الله عليه وسلم, who said, "The *Dīn* is *Nasīhah*." – Muslim."

So we ask Allāh to accept this small effort on our behalf and to make it a source of assistance to those who battle the innovation of *Irjā'* and misguidance with respect to the matters of 'Ruling by Other Than What Allāh Revealed'.

And may the peace and blessings of Allāh be upon our Prophet Muhammad and upon his family and his companions until the Last Day.

Abū Huthayfah Yūsuf Al-Kanadī
& Abū Sulaymān Haythem Ash-Shāmī
Jumadda 17/1425 H.